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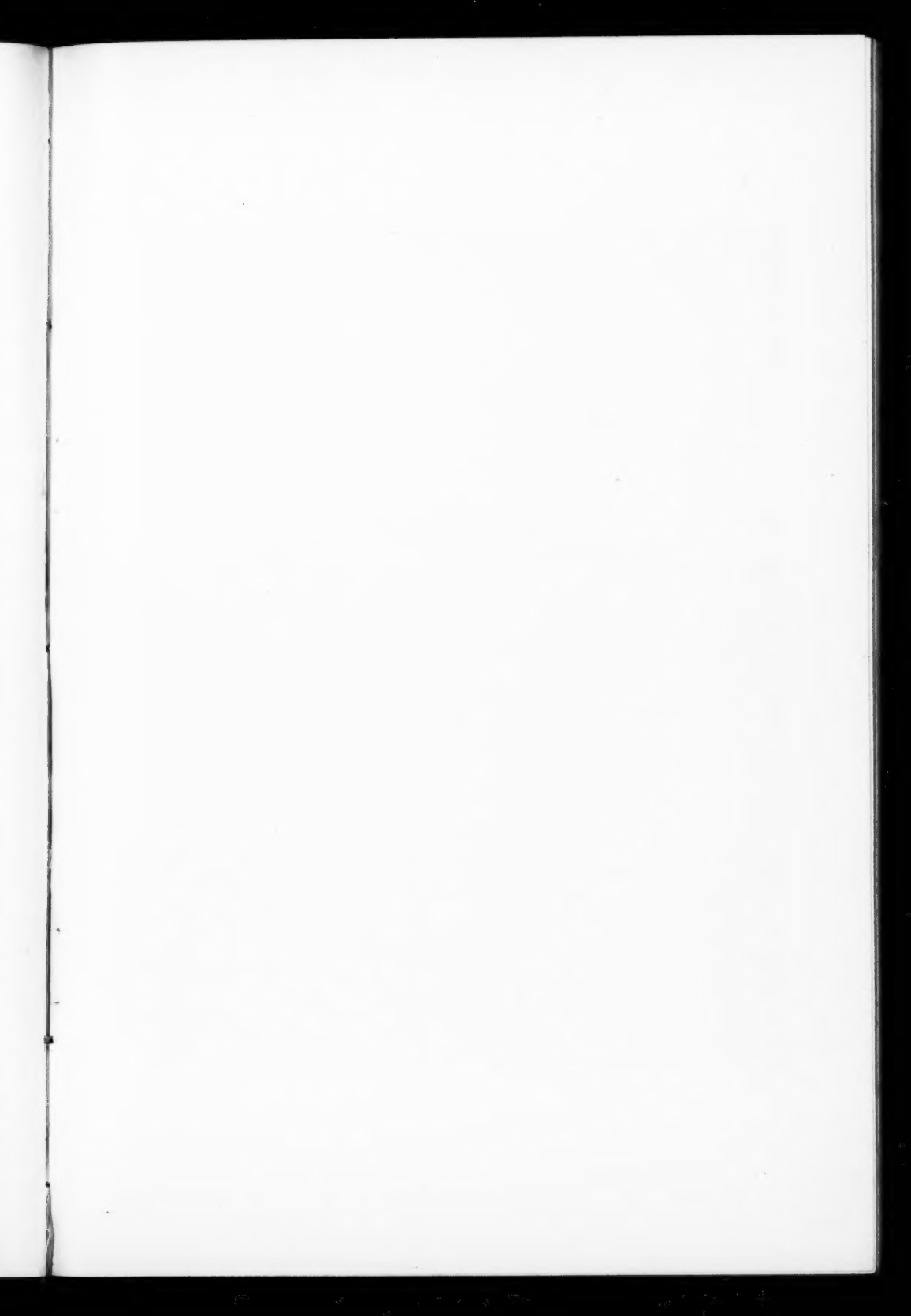
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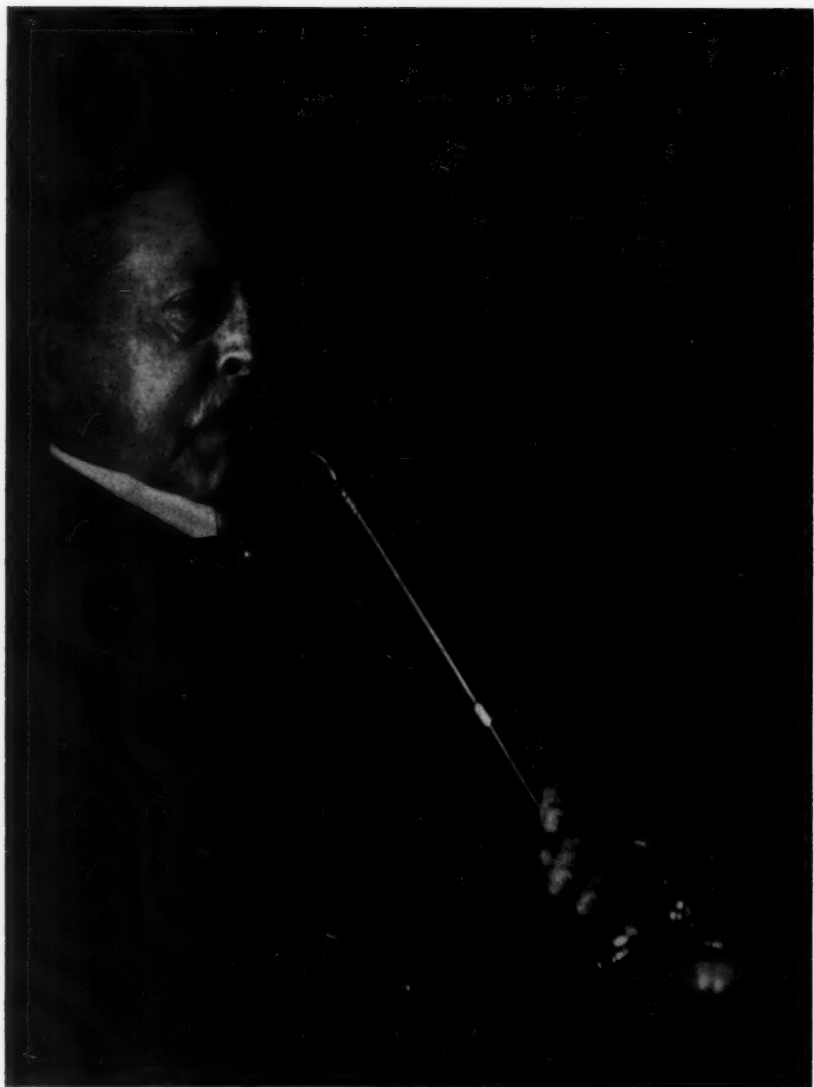
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While Uncle Sam is making the
dirt fly at Panama, Sapolio
is making it fly at home



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From a recent photograph by Alice Boughton

THOMAS BAILEY ALDRICH

PUTNAM'S MONTHLY

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VOL. II

JUNE, 1907

NO. 3

THOMAS BAILEY ALDRICH

By H. W. BOYNTON



IN losing Mr. Aldrich we have lost, all obituary extravagance aside, a figure of distinction and of the power which distinction confers. He belonged frankly to the order of *literati*; not, indeed, to "the mob of gentlemen who write with ease," but to the class which is from first to last, for richer for poorer, for better for worse, preoccupied with the literary art. It lisps in numbers, turns a phrase with every leaf of mature experience, and says farewell to the world with due regard for the requirements of the perfect period. It is rather given to inbreeding, and has a tendency toward complacency which Providence itself can do little to curb. It gets quite as much comfort out of starving in a garret as out of feasting in marble halls. It is sufficient unto itself, and a trifle over: the world owes it much.

To this class no person is born, but Mr. Aldrich was not slow to make his way into it. It may well be matter for wonder that so delicate an art as his should have been at-

tained by such rough-and-ready means—if, indeed, the paradox had not become almost a rule in American letters. With so many instances before us, we may almost ask what of such subtlety and refinement of touch as we may boast in our literature has had its source or encouragement in academic training? His father's death put an end to Aldrich's formal education, in his seventeenth year.

Born and for the most part bred in Portsmouth, New Hampshire—which becomes Rivermouth in his books,—his opportunities were not exceptional, even as far as they went. But his was one of the natures which can be trusted to educate themselves, in all humane senses of the term, if not in the scholarly sense. He had intended to go to Harvard College. This was in the early fifties, and it is amusing if idle to speculate what might have been the effect upon him of a four years' saturation in the Cambridge atmosphere of that moment. The Boston-Cambridge-Concord hierarchy were in their prime of power. Emerson was Grand Sachem of the Transcendentalists; Lowell had won his spurs with "A Fable for Critics" and the "Biglow Papers";

Hawthorne had just written "The Scarlet Letter"; and Longfellow, not content with his throne in the popular heart, held the chair of Belles-Lettres at Harvard. Yet it was, I think, not an unkind fate which drew the boy Aldrich, already a local poet's-cornerer, to a "literary centre" of a very different kind. New York also had its literary dynasty, which took itself, among other things, less seriously than the New Englanders took themselves, though still more seriously than we are able to take it now. Bryant of course was there, having been then for more than thirty years editor of *The Evening Post*. But Bryant was as solitary by nature as his own water-fowl. He was a New Englander if anything, and his loyal service to the metropolis owed its effectiveness precisely to his incorrigible Puritanism. The literary sons of the soil, the so-called Knickerbockers, were of a very different strain, and with them Aldrich was naturally thrown. Their gayety, easy good-fellowship and tolerably good opinion of each other naturally attracted a boy who had already made his first appearances as poet and wit. He had gone to New York to take a desk in his uncle's office—where he presumably wrote the verses which presently gave him chance of escape. At twenty he became assistant editor of *The Home Journal*, under N. P. Willis.

This association with Willis must be taken into account in judging much of Aldrich's verse. Now but the shadow of a name, the great Nat was a formidable personage in his day—a more popular poet than Longfellow, a supposed *arbiter elegantiarum*, a Fifth Avenue oracle with, as it now appears, an absurdly large hearing. Does it seem impossible that Aldrich should have ever written "Mabel, little Mabel, with her face against the pane"? Does "Baby Bell" (whom, unlike "Mabel," he never disowned) strike the modern ear as mawkish? Read the poems of the late Mr. N. P. Willis (if you can). Fifty years ago they were being printed, bound and

sold in great numbers; you may pick them up for nothing at any second-hand book stall. When you have got through with the interminable rubbish of him, both sacred and profane—the solemn mouthing, the forced imagery, the foppish grimacing,—you will find yourself recalling some half-dozen light and graceful little poems *de société*—"Love in a Cottage," "To a Coquette" and a few more. And you will admit that they might have been written by the author of "Amon-tillado" though not quite up to the brand. I confess that to my mind all the faults and some of the merits of Aldrich are, in kind though by no means in degree, the faults and merits of Willis. This fact is suggested pretty clearly by a little examination of the later poet's blank verse—never, I think, his natural vehicle, and not seldom, even in his most mature period, degenerating into the mere wheelbarrow of metrical prose which Willis so loved to trundle before his public. Read, for example, Aldrich's lines "At the Funeral of a Minor Poet," written at an age when a poet's command of blank verse, whatever may have happened to his rhymed lyricism, should have attained perfection. After a few really beautiful (because lyrical) opening lines, we come to this kind of thing:

The mighty Zolaistic movement now
Engrosses us,—a miasmatic breath
Blown from the slums. We paint life as
it is,

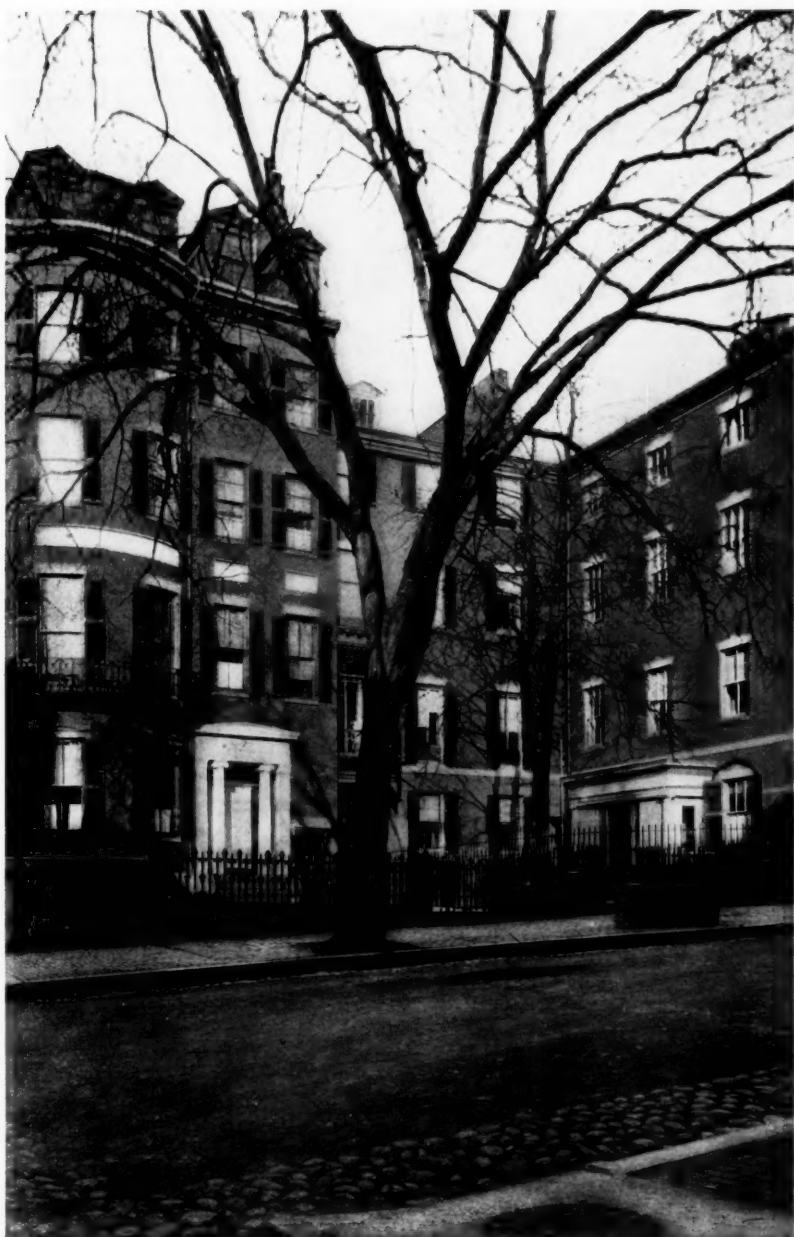
The hideous side of it, with careful pains,
Making a god of the dull commonplace.

Is this poetry? Then so is this,
taken really at random from Willis:

Truth is vitality, and if the mind
Be fed on poison, it must lose its power.
The vision that forever strains to err,
Soon finds its task a habit—

And so on: you may hear the single wheel creak as the author forces upon it a load of sententiousness impossible to be borne, outside of prose, unless by the two-wheeled chariot of the heroic couplet.

This is not true, to be sure, of the



THOMAS BAILEY ALDRICH'S HOUSE (IN WHICH HE DIED) MT. VERNON STREET, BOSTON.

few great masters of English blank verse, who can do anything with their instrument. Preaching and music flow together from the "organ-voice of England," and, in happy moments, from the inspired bassoon of Grasmere. But it would be idle to pretend to take Mr. Aldrich's blank verse upon that plane. He was an accomplished performer, but the medium was not his own. Figure him as a flute virtuoso, who, however skilful at the piano, is effective only when he wrests from the upper register some effect of his own instrument. It is in an occasional burst of true lyrical enthusiasm that Aldrich's blank verse really makes itself felt.

If his expository passages recall Willis, his narrative style even more strongly suggests Tennyson. When Aldrich began his career, Tennyson had written "In Memoriam," and had succeeded Wordsworth in the Laureateship. Under his influence more than any other, the young American grew up, and always retained an admiration for him which must now seem to many of us extravagant:

Shakespeare and Milton—what third blazoned name

Shall lips of after-ages link to these?

His who beside the wide encircling seas
Was England's voice, her voice with one acclaim,

For three-score years; whose word of praise
was fame,

Whose scorn gave pause to man's iniquities.

Of Tennyson's blank verse manner, at all events, Aldrich made direct conveyance. The narrative portions of "Judith," for example, with all their beauty of detail, have only the merit of flawless imitation. Read this, and say if the whole effect is not Tennysonian in detail as well as in substance. Here is the Tennysonian scheme and here are the tricks of metre, of figure, of ellipsis:

Then the crowd fell back,
Muttering, and half-reluctantly, because

Her beauty drew them as the moon the sea,—

Fell back and lingered, leaning on their shields

Under the trees, some couchant on the grass,
Broad-throated, large-lunged Titans overthrown,

Eying the Hebrew woman, whose sweet looks

Brought them a sudden vision of their wives

And longings for them. . . .

Thus Judith, modest, with down-drooping eyes:—

This early poem gave substance to Mr. Aldrich's last effort of importance, the play, "Judith of Bethulia," which had the rare fortune, for poetic drama, of an actual stage production. The play has one good act, the third; and an effective final curtain. The rest of it is tame enough, with only one person worth attending to, Judith herself, and a great deal of mere mechanism. From first to last, according to a somewhat outworn convention, the form of verse is adhered to, with the result that

The people threaten to break down the gates

Unless within the limit of five days

We somehow get them bread and meat
and drink,

Or come to terms with the Assyrian.

In the third act there is very much to admire. The effect is truly dramatic, and though many lines are taken bodily from the poem, the Tennysonian ghost is pretty well laid. There appear, moreover, not a few really heroic lines, such as these of Judith's, spoken when Holophernes offers to make her his queen:

To serve thee is to reign. I keep my state,
And am most jealous of my servitude.

And there is beauty of a very high order in such flights (of a quality equally lyrical and dramatic) as this of Holophernes:

And sit thee there,
Thou of the dove's eyes and the proud swan's throat.

Thy tresses give out odors of the rose,



THOMAS BAILEY ALDRICH'S STUDY IN THE MOUNT VERNON STREET (BOSTON) HOUSE

Thy breath upon my cheek is as the air
Blown from a far-off grove of cynamon.
Fairer art thou than is the night's one
star—

Thou makest me a poet with thine eyes.

This brings us almost to the word which may here be said of Aldrich's most distinguished achievement in poetry. But let us return for a moment to the point from which we were led astray by the memory of the ingenious Mr. Willis. The outbreak of the Civil War found the young poet-journalist already possessed of a large audience. His ensuing experience as war correspondent did not distract him from what was already the main issue with him: the improvement of his literary technique. The sonnet on "Fredericksburg," best memorial of that experience, is a thing of chiselled perfection. Before the end of the war he had married and gone to Boston, there to take up the editorship of *Every Saturday*, which he retained till the discontinuance of the publication ten years later. Thereafter his path was a smooth and pleasant one. He had never been uncomfortably poor, and during most of his life was rich beyond the fondest dreams of most of his literary kind. Moreover, whatever New York had done for him as an apprentice, Boston was the natural home of his maturity. The atmosphere of the place suited his somewhat fastidious temper, and it must have been a relief to exchange a Hoffman for a Howells, a Willis for a Lowell. When *Every Saturday* was given up he found himself for the first time able and free to travel, and spent some years gathering such keen and amiable impressions on foreign soil as are recorded in the "Ponkapog to Pesth" papers. Indeed, with the exception of a five years' experience as editor of *The Atlantic Monthly*, the rest of his days were spent in travel or in the life of literary leisure. His first great sorrow, in the death of a son, came to him when he had nearly reached the three-score and ten.

A literary moralist might find in the equability and ease of Aldrich's later life a sufficient explanation of the small amount and, on the whole, inferior quality of his literary work during that period. I do not mean by this, inferiority in literary form. His writing became increasingly fastidious. But the labor of the file, greatly as it may be praised by a certain school of criticism, remains, when considered by itself, a melancholy thing. Mr. Aldrich's best work is like the best work of other men of genius—an efflorescence rather than a product of the lapidary. His original impulse was short-lived. To assert that it died of prosperity, however, would be rash. The American of his own generation to whom Mr. Aldrich was most akin was probably the late John Hay. Compare "Castilian Days" with "From Ponkapog to Pesth," compare the best early lyrics of the two, and you find a very similar quality of inspiration. Hay's impulse was also youthful; who shall say that its early surcease depended either more or less certainly upon the public activity of his mature life than Aldrich's comparative unproductiveness depended upon his accession of private ease?

In fiction Aldrich's one great strike was "Marjorie Daw": a *jeu d'esprit* worthy to rank with "The Lady or the Tiger." He was not a born story-teller; he had little instinct for "plot" and dealt in types rather than characters. His novels, "Prudence Palfrey" and the rest, are rather tedious and amateurish. In "The Story of a Bad Boy," with its semi-autobiographical unction, he undoubtedly produced a masterpiece in its kind; as, indeed, he did in "From Ponkapog to Pesth." Nowhere is he at once so spontaneous and so witty as in these papers—that is, so like himself; for a witty spontaneity in ordinary conversation was, as the writer can testify, a striking trait. Good things flashed from him so naturally as to give the listener no sense of display. His description of the boy who was "broken out all



THOMAS BAILEY ALDRICH'S HOUSE AT PONKAPOG, MASSACHUSETTS

over with buttons" might as naturally have occurred to him in casual talk as in the composition of the printed chapter in which it actually appears. How long the best of Aldrich's prose is to endure is a question. Travel sketches go out of date, and even the fashions in bad boys are subject to change. "Marjorie Daw" alone seems secure.

For his poetry we need no such halting forecast. Apart from blank verse, apart from didactics, apart from profound thought or passion, lies his own realm of pure song. There dwells a tender gayety, a pleasant reflectiveness, a dreaming fancy—

Here be worth and wealth,
And love, the arch enchanter;
Here the golden blood
Of saints, in this decanter!

Sad moments come, but it is the
hugged sadness of the young lover.
It does not last long: how can it?—

Hebe's here, May is here!
The air is fresh and sunny;
And the miser-bees are busy
Hoarding golden honey!

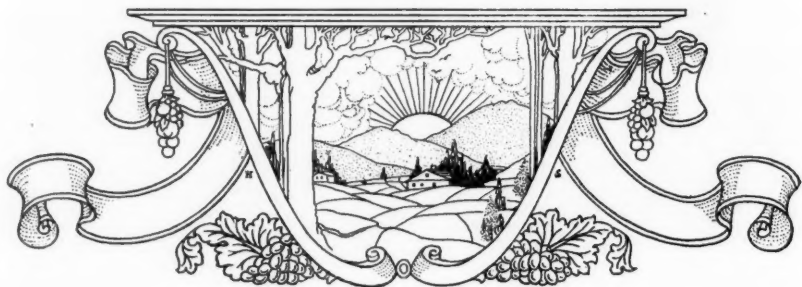
See the knots of buttercups,
And the purple pansies,—

Thick as these, within my brain,
Grow the wildest fancies.

Let me write my songs to-day,
Rhymes with dulcet closes,—
Four-line epics one might hide
In the hearts of roses.

Is not that irresistible? Has it not the lilt and fire of the true lyric? Read again "Ingratitude," "Palabras Carinosas," "At Two-and-Twenty," the "Interludes"—almost all of them,—this is as pure poetry, of its kind, as the nineteenth century produced. It is, at least, the stuff of which anthologies are made: and who would not give up, say, his hopes of the Presidency to have written "Oh come to me and be my love"? Aldrich himself has said the word in the most beautiful of his later "Interludes":

Pillared arch and sculptured tower
Of Ilium have had their hour;
The dust of many a king is blown
On the winds from zone to zone;
Many a warrior sleeps unknown.
Time and Death hold each in thrall,
Yet is Love the lord of all;
Still does Helen's beauty stir
Because a poet sang of her!



SEWARD, EMPIRE-BUILDER AND SEER

By CHARLES M. HARVEY



JUNE, 1907, brings the fortieth anniversary of the ratification of the treaty with Russia which placed Alaska under the Stars and Stripes. June also sees the people of Seattle preparing to erect a monument to William H. Seward, the author of the annexation. It is to be unveiled at the Alaska-Yukon Exposition, to be held in that city in 1909, to commemorate the acquisition, and to display to the world the resources of that region and those of the British dependencies adjoining it. Originally the intention was to hold the Alaska celebration in 1907; but, as this would bring it close to the Lewis and Clark fair at Portland in 1905, it was decided to postpone it, and to broaden its scope so as to make it cover all of Canada's Far Western territory. Held in any year whatever, and in any location, the exposition would necessarily emphasize Seward's services in the cause of national expansion.

For at least two reasons it is appropriate that Yukon and the rest of the British provinces of the Northwest should be associated with Alaska in the observances. Physically, meteorologically and physiographically all of these provinces bear an intimate relation to Alaska. Had certain statesmen who were in high position in Washington in the earlier day been endowed with Seward's courage and foresight, all the present British territory west of the Rocky Mountains would, by peaceful occupation, have placed itself under the American flag several decades before the purchase of Alaska. A dreamer of mag-

nificent dreams of territorial expansion in his younger days, Seward lived to transmute some of these dreams into facts. Like Thomas H. Benton, William Gilpin, and others, he believed that our boundaries would one day be pushed across the Pacific. Could he have taken a glance at earthly things in 1898, at the time that President McKinley was annexing Hawaii and the Philippines, he would probably have been surprised that these acquisitions had been deferred so long. But his visions of the spread of American sway extended even farther than those of Benton, Gilpin or Stephen A. Douglas. They covered the whole hemisphere from the Arctic Ocean to Cape Horn, with the capital of the ultimate United States in the valley of Mexico. Seward was Manifest Destiny's most enthusiastic and expansive prophet.

As an ardent admirer of John Quincy Adams, whose biography he wrote, and as an intelligent student of American history, Seward remembered that Adams, in 1823, when Secretary of State in Monroe's Cabinet, told Baron Tuyl, the Tsar Alexander's minister at Washington, that the United States would "contest the rights of Russia to any territorial establishment on this continent." That was when the dispute began with Russia as to the extent of her possessions on the Pacific coast. In a treaty with us in 1824 Russia limited her pretensions to the region north of latitude fifty-four degrees, forty minutes, the southern line of the Alaska which, forty-three years later, she transferred to the United States. Seward knew also that, long before the Tuyl incident, Madison and Monroe had failed to embrace the op-

portunity held out to them by John Jacob Astor to gain a much larger and much more valuable acquisition

opportunities for profit which that region offered. In 1811 he established a fur-trading station at Astoria,



William H. Lewis

than that which Tuyl's country was destined to hand over to us; and this must have grieved him to the day of his death.

Astor, then engaged in the fur trade in a small way, showed greater interest in Lewis and Clark's exploration from the mouth of the Missouri to the mouth of the Columbia in 1804-06 than any other person except Jefferson, and he promptly grasped the

near the mouth of the Columbia, which was to be the base of his operations on the Pacific coast. By an arrangement with the Russian Fur Company, which had its posts throughout Russian America (our Alaska), Astor, as head of the Pacific Fur Company, seemed to have made his position secure. Under their compact each company was to respect the other's territory. They were to com-

bine to shut out rivals, and to join forces against Indians or white invaders of their possessions. Astor was to furnish all the supplies to the Russian posts, at figures agreed upon, receiving peltries in payment at stipulated rates, and to transport, in his own vessels, the Russian furs to Canton, and to sell them there on commission. For both companies this promised to be a prosperous arrangement, and it held out vast possibilities for expansion for Astor's adopted country. These possibilities Astor had in view from the beginning.

Years before that time, or in 1808, Astor told his plans to Jefferson, and that statesman's imagination blazed at the prospect. He was then President, and he promised protection to Astor in the Pacific enterprise. Early in 1813 Jefferson wrote to Astor, expressing his pleasure at the planting of the post two years earlier at the mouth of the Columbia, and added: "I view it as the germ of a great free and independent empire on that side of our continent, and that liberty and self-government, spreading from that as well as from this side, will insure their complete establishment over the whole. It must be still more gratifying to yourself to foresee that your name will be handed down with that of Columbus and Raleigh as the father of the establishment and the founder of such an empire."

But calamity, which the author of these optimistic lines did not perceive as he was penning them, was about to strike Astor. The war of 1812-15 with England was under way. Madison was President. At the beginning of the war, Astor wrote to Madison asking him to place forty or fifty soldiers in the fort at Astoria, then only a year old, and saying that he would send a force overland to aid them. He also asked for letters of marque to permit him to fit out an armed vessel, at his own expense, to defend Astoria. No reply to this appeal was ever made.

The news of the war reaching the Pacific, and no relief from the government being furnished, Astor's repre-

sentatives at Astoria, many of whom were British subjects, hearing that a British war vessel was approaching to capture the post, sold it to the Northwest Company, a rival of the Hudson Bay Company in the great fur-trapping field between the United States and the Arctic Ocean. The transfer was made in the closing weeks of 1813, and the British vessel arrived on the scene shortly afterward.

Astoria was restored to the United States in the adjustment in 1815, after the treaty of peace was proclaimed. Astor then offered to re-establish his post if the protection of the American flag and a few soldiers were allowed him, but Madison made no response. To the same overture made to Monroe, when he entered the presidency in 1817, Monroe also was deaf. Then Astor dropped his Pacific adventure, removed the seat of his activities to the east side of the Rocky Mountains and to the lake region, and there made a large fortune. All of the present Oregon, Washington and Idaho were thus given up to the Northwest Company, which consolidated with the Hudson Bay Company in 1821, and passed under British domination. The long controversy regarding the title to the whole Pacific territory—the United States claiming everything up to Russian America, our present Alaska, and England claiming everything down to near the northerly line of our present California—was settled through a compromise in 1846, in Polk's administration, by agreeing on the forty-ninth parallel, the northern boundary of our present States of Washington and Idaho.

The blindness or timidity of the heads of the American government was calamitous to American interests. Had Madison in 1812 given the slight measure of aid which Astor asked—and he could have done it, despite the larger demands of more immediate concern which confronted him in the war.—Astoria would have remained in American hands throughout the conflict. Had Madison in 1815, or Monroe in 1817, accorded to Astor even the smaller measure of recognition



Designed by Randolph Rogers

Photograph by A. E. Sproul

STATUE OF WILLIAM H. SEWARD IN MADISON SQUARE, NEW YORK

which he urged, he would have re-located himself on the Pacific coast. In either case these are the things which would have resulted: With or without his compact with the Russian Fur Company, Astor would have had the resources and the strategic position which would have made him master of the situation through all the territory south of Alaska. In that event the American claims to that region, won by the Yankee skipper Gray's discovery of the Columbia in 1792, and his entrance into that river, and that which we gained by Lewis and Clark's exploration in 1805-06, would have been re-enforced by the still more tangible claim based on occupation.

With or without the co-operation of the Russian Fur Company, which he had by his treaty with that corporation, ratified at St. Petersburg, Astor would have won a decisive ascendancy not only in the present States of Oregon and Washington, but in British Columbia. The various shuffles and deals between Monroe and his successors along to Polk on the one side and the British government on the other would have been averted, and the bluff of "Fifty-four forty or fight," in the Democratic campaign of 1844, in which Polk was elected, but which Polk failed to "make good," would not have been necessary, for we should have gained the entire region by peaceful occupation before that time.

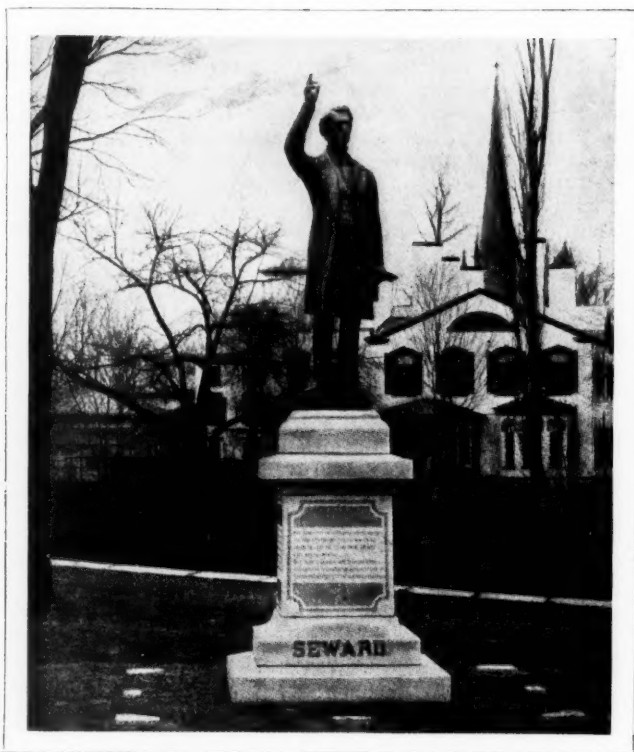
England would thus have been shut out from access to the Pacific from North America, all of the present Canada west of the Rocky Mountains would have been ours, and with the annexation of Alaska in 1867—which would probably have come earlier if Astor had been allowed to maintain or to re-establish his ascendancy on the Columbia—we should have had an unbroken coast line on the Pacific from Mexico's northern border up to the northern verge of the continent, far beyond the Arctic Circle.

Something more, indeed, than this would probably have taken place. Shut out from connection with the

Pacific, and hemmed in on the west as well as on the south by a powerful nation, the Canadian annexation idea of several decades ago would have come earlier and in a more concrete shape; Canada would have knocked for admission to the Union; Hudson Bay would have been placed by this time near the geographical centre of our country; the Stars and Stripes would now float from the Gulf of Mexico to the Arctic Ocean, and the United States would hold a larger place in the world's councils as well as fill a broader space on the world's map than she does to-day.

Astor's plan for the expansion of American territory and influence on the Pacific was as practicable as it was magnificent. When Astor was forming his project for the establishment of his trading post on the Pacific the war of 1812, the wreck of some of his vessels in making the 16,000-mile circuit round the lower end of the continent and up the big western ocean to the mouth of the Columbia, and the incapability of some of the men whom he trusted and the treachery of others, may or may not have been foreseen by him as among the possibilities. Probably, in a vague, dim way some of them were reckoned with by him in the chapter of accidents.

But had the Government furnished Astor the aid in his extremity which he had a right to expect, these disasters would merely have delayed the development of his enterprise, and would not have defeated it. When, many months after the war of 1812, Jefferson, then in retirement, was congratulating Astor on the planting of his "germ of a great free and independent empire on that side of our continent," and telling him that his name would be handed down with those of Columbus and Raleigh as pathbreakers in the world's wilderness, his scheme seemed not only feasible, but reasonably certain of accomplishment. In that exigency, had a man been in the White House with Jefferson's imagination, or with the imagination, initiative and audacity



STATUE OF SEWARD AT AUBURN, WITH THE SEWARD
HOUSE IN BACKGROUND

of Roosevelt, the nomenclature of the world's map and some of the currents of the world's history would have been different.

When preparations were being made for the Lewis and Clark Exposition at Portland in 1905, William Waldorf Astor was asked to erect a monument to his distinguished ancestor at Portland. Later on he was appealed to for a subscription to the exposition fund. One of these requests he ignored. The other he refused. There is one at least among living men—one who is now a British subject, although nearly all his possessions are in the United States—who recalls this specific instance of the ingratitude of republics.

Seward grasped this evidence of the republic's inappreciation and ingratitude many decades earlier than

did the present head of the house of Astor; and he undoubtedly regretted it far more acutely, for he saw that it involved blindness to the nation's interests. In all of the "manifest destiny" talk in the Senate after he entered that body, in 1849, Seward bore a prominent part. His imagination pictured conquests to the north and to the south, by the consent of the people immediately concerned, which would ultimately extend the sway of his country throughout the entire continent.

"Standing here and looking far off into the northwest," said Seward, in a speech at a Republican mass meeting in St. Paul in the Lincoln campaign of 1860, "I see the Russian as he busily occupies himself in establishing seaports and towns and fortifications on the verge of this continent, as the

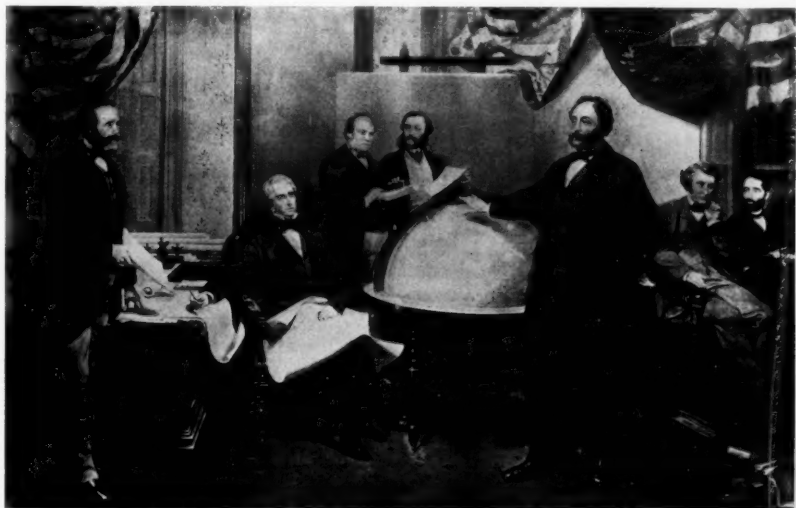
outposts of St. Petersburg, and I say: 'Go on and build up your outposts all along the coast, up even to the Arctic Ocean. They will yet become the outposts of my own country—monuments of the civilization of the United States in the Northwest.'"

In the same speech Seward's vision swept round the entire circle of the hemisphere. "So I look off on Prince Rupert's land and Canada," he added, "and see there an ingenious, enterprising and ambitious people occupied with bridging rivers and constructing canals, railroads, and telegraphs to organize and preserve important British provinces north of the great lakes, the St. Lawrence and around the shores of Hudson Bay, and I am able to say: 'It is very well. You are building excellent states to be hereafter admitted into the American Union.' I can look southwest and see amid the convulsions that are breaking the Spanish-American republics, and in their rapid decay and dissolution, the preparatory stage for their reorganization in free, equal and self-governing members of the United States of America." All this was to be the ultimate United States, and

the City of Mexico was to be the capital and the seat of authority of the entire hemisphere.

Seven years after this expansive prophecy was uttered, the prophet transmuted the first part of it into history. There had long been a desire among fishing and fur-trading interests on the Pacific coast to get concessions from Russia in Alaska. This came early to Seward's notice as Secretary of State successively under Lincoln and Johnson, beginning with 1861 and ending with 1869. There had been some vague talk here and there, too, in favor of the purchase of Alaska, which, of course, Seward knew. He likewise knew about the platonic friendship by Russia for the United States during the Civil War. After a long negotiation Seward obtained a treaty whereby Russia was to cede Alaska to us for \$7,200,000.

Alexander II.'s consent to the cession reached Edward de Stoeckl, the Russian Minister at Washington, in the evening of March 29, 1867, and he immediately went to Seward's residence with the news, finding him in the midst of an exciting game of



From the painting by Emanuel Leutze

THE SIGNING OF THE ALASKA TREATY

whist. "To-morrow we will frame the treaty," said Stoeckl. "No," exclaimed Seward, enthusiastically; "let us fix it up to-night." Clerks belonging to the Secretary of State's office and the Russian Embassy were summoned, and the treaty was signed by Stoeckl and Seward at 4 o'clock in the morning of the 30th.

Under the lead of Charles Sumner, Chairman of the Committee on Foreign Relations, the treaty was pushed through the Senate with speed, ratifications were exchanged, and President Johnson, on June 20th, 1867, proclaimed the treaty in force. Thus a tract twice as large as the settled area of the thirteen States which composed the Union over which Washington presided, in his first term, was annexed to the United States.

Before the ink was dry on the Alaska treaty Seward started out on his project to annex the remainder of the hemisphere. He negotiated a treaty with Denmark for the purchase of her islands of St. Thomas and St. John in the Caribbean; arranged to take in Santo Domingo, with the expectation of adding Hayti to our possessions a little later; made overtures looking to the acquisition of Hawaii; got a treaty with Colombia which would give us control at Panama; and planned to induce Spain to sell to us Cuba, which was then about to begin its rebellion of 1868-78. And, in Seward's soaring imagination, this was to be only the beginning of the peaceful conquest of the continent. Canada, Mexico and the rest of the hemisphere would follow those localities quickly into the fold. He told Sumner in 1868 that he believed his ultimate United States would be a fact within thirty years from that date.

This was a magnificent dream, but it did not become tangible in Seward's day. In the Senate, or at some other stage of the proceedings, the Danish island-Santo Domingo-Hawaii-Panama scheme collapsed. Hostility to Johnson, and Republican dislike of Seward for remaining in Johnson's Cabinet and for favoring the Lincoln-

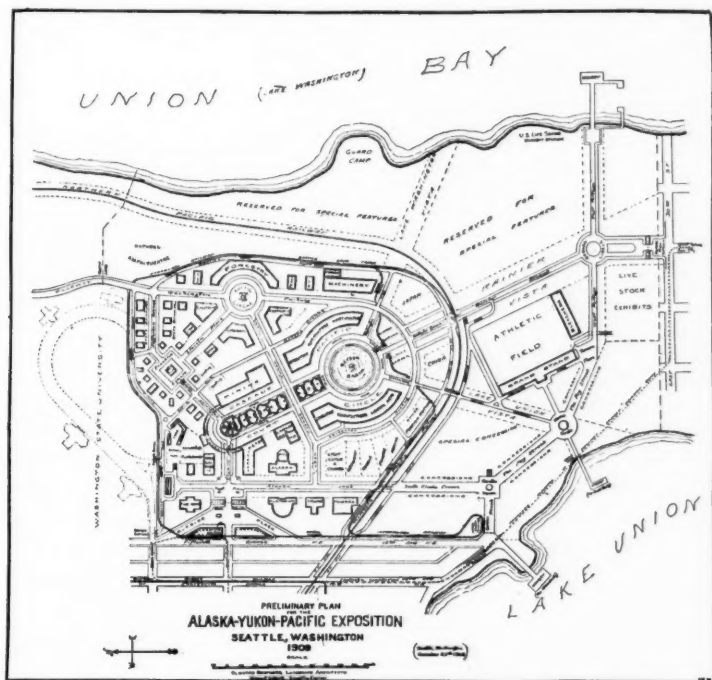
Johnson plan of reconstruction of the Southern States, had something to do with the failure of Seward's plans. Presidents of a later day, and far more potent than was the executive whom Seward served while in his expansionist rôle, also failed in attempts to annex Santo Domingo and the Danish islands. In 1898 President McKinley carried out Seward's idea in Hawaii. President Roosevelt has established a financial receivership in Santo Domingo. Temporarily or permanently he has stretched what is virtually a protectorate over Cuba. Three years ago he had a hand in carrying out Seward's aspiration for a republic at Panama as a ward of the United States. Seward was "wise too soon." Fox's judgment of Burke is also applicable to Seward as an empire-builder.

After the Senate had ratified the Alaska treaty in 1867 there was powerful opposition in the House to making the appropriation to pay for the territory. Said one of Massachusetts' representatives, Benjamin F. Butler: "If we are to pay this amount for Russia's friendship during the war, then give her the \$7,200,000 and tell her to keep Alaska." Nor was the country enthusiastic about the purchase. Many of the people dubbed the region "Seward's Folly": it would produce nothing, they said, except polar bears and icebergs. They know better now.

The census-takers found 63,000 people in Alaska in 1900, an increase of nearly 100 per cent. in the decade. Nearly half of these, or 30,000, were whites, 29,000 were natives (Eskimo and Indians), 3,000 were Chinese, and the other 1,000 were Japanese and Negroes, the Japanese preponderating. These were the summer figures, however. Every winter, when mining, which is still the principal activity, is suspended, several thousand move back to the States. The fact that out of the 30,000 whites 27,000 were males showed that the conditions there were still unsettled. Since 1900, however, the situation in Alaska has improved. Road, railway and telegraph building is under

way. Means of communication between the various important points of the big empire are being provided.

The future holds rich prizes for Alaska. Its Yukon, one of the world's great rivers, is navigable for over



SEATTLE ALASKA EXPOSITION

Postal facilities are improving. The volume of its business activities is expanding with considerable rapidity.

Fairbanks, Juneau, Nome, Sitka, Valdez, Eagle, Treadwell and Wrangell are the most important towns in the Territory, Fairbanks, with 7,000 population, in the Tanana region, being the largest city in the Territory. Alaska has fifteen newspapers, three of them being dailies. After long and discreditable neglect by the Government, and after many appeals for action by Mr. Roosevelt and some of his predecessors, Congress in 1906 gave Alaska a rudimentary form of Territorial government, and, like Arizona, New Mexico and the other Territories, it now has a delegate in the House of Representatives at Washington.

1,000 miles during the absence of ice—from June to October,—and it has several important tributaries. While zero weather is the rule in the interior for six months every year, the days of eighteen to twenty hours in June and July, with twilight for the rest of the twenty-four, are some compensation. Over a large part of the Territory farming and stock-raising can be made profitable. Its wealth in gold, coal, copper, silver and other minerals is large, while its resources in fish, fur and timber are vast.

From royalties on seal skins, rent of seal islands, sales of public lands, and duties on imports, Alaska has yielded the Government \$11,000,000 in revenue in the forty years which it has been in our possession, or once

and a half its purchase price. Its fish in that time have brought to the country \$96,000,000, its furs \$80,000,000, and its timber, copper, coal, silver and other products small amounts, but considerable in the aggregate.

"I defy any man on the face of the earth," exclaimed Washburn of Wisconsin, while the appropriation bill was before the House in 1867, "to produce any evidence that an ounce of gold has ever been found in Alaska." In 1906 Alaska furnished us \$22,000,000 of gold, or three times the sum which Seward paid for the Territory. It will probably give us at least \$26,000,000 of that metal in 1907. Alaska produced more gold in 1906 than any other single community in the United States except Colorado, leaving California far behind; in 1907 it is likely to lead Colorado. And nearly all of this is from the placers. Thus the surface of the gold-producing area has only been scratched.

Alaska in the single year of 1906 gave us more gold than the entire world was producing in two years, a century ago; and it furnished almost as much gold in 1906 as the entire United States produced in all the years in the aggregate previous to 1848, when James W. Marshall made his great strike in the raceway of Sutter's mill, on the American Fork of the Sacramento.

In their Alaska-Yukon Exposition of 1909 the people of Seattle and of the Pacific coast will be commemorating a large event in the history of the United States and of the continent. The exposition is to open on June 1, to last till October 15, to cost \$10,000,000,000, to be held in twelve exhibit palaces on grounds covering 250 acres, and to be participated in by many States, by the United States Government, and by several foreign countries.

When, on his deathbed, Seward was asked what he believed to be the greatest achievement of his public career of forty years, he answered: "The annexation of Alaska. But,"

he added, "it will take the country a generation to find out Alaska's value." This, too, was prophetic. It was thirty-four years after Seward's death—in 1872—that Congress passed the Alaska territorial act.

Hundreds of thousands of persons every day pass the bronze statue of Seward in Madison Square, New York, facing the triangular open space at the intersection of Broadway, Fifth Avenue and Twenty-third Street. It was designed by Randolph Rogers, cast in Munich, presented to the city by a committee of leading citizens, and unveiled in 1876, when addresses were delivered by Mayor Wickham, William R. Martin, John Bigelow, and William M. Evarts.

A bronze statue of Seward, erected by his fellow-townsmen in 1888, stands in the public park in Auburn, adjoining his former residence. Of a marble bust in the State Library at Albany, designed by the sculptor Ives, a replica was presented a few years ago to the Governor of Alaska. The full-length portrait hanging in the Executive Chamber of the Capitol at Albany was painted by Chester Harding in 1843, and that in the Governor's room in the City Hall in New York was painted about the same year by Henry Inman. A historical picture of the "Signing of the Alaska Treaty," the work of E. Leutze in 1867, was presented to Seward's family, and remains in their possession.

But far more significant than any of these memorials to the illustrious empire-builder and prophet will be the monument which will be erected to him at the Alaska-Yukon Exposition in 1909. Facing the sunset, with the vast empire which he brought under the flag on his right hand, Seward will look forever over the Pacific and watch the playing of America's civilizing and Christianizing rôle in the countries scattered through that ocean and along its borders, which he, earlier and clearer than any other American, foresaw and foretold.

THE "SPANISH DIGGINGS"

VAST QUARRIES IN WYOMING WORKED BY PREHISTORIC ABORIGINES

By ROBERT F. GILDER

Discoverer of the "Nebraska Man"



AWHIDE Buttes, a miniature mountain range of eastern Wyoming, the summits of which are from six to eight thousand feet above the sea, rising abruptly out of the tertiary strata of the Great Central Plains, stand as a guard to a great archæological treasure-house, locally known as the "Spanish Diggings" and claimed by explorers who have visited that section to be, as one of them has expressed it, "the greatest field for scientific research yet discovered in America."

Here are located scores of prehistoric quarries, whence an unknown people secured the greater part of the material from which they manufactured the implements used in the chase, domestic life and war. Vast untouched fossil beds cover the landscape, while the entire region is thickly strewn with stone lodge circles and shop-sites among which are to be found flint implements by the thousand, many being new to collectors.

The Rawhide Mountains are among the most eastern spurs of the Rockies. The core of the uplift consists of granite, schists and quartzite of the Algonkian age, which is very old, flanked by beds of younger rocks mostly quite level and not upturned as are the rocks of the core. Encircling the granite core is found palæogenic rock of the carboniferous age. Like all the carboniferous beds of the remote West they are barren of coal.

On the west bank of the Rawhide

range the exposures of carboniferous rocks are so extensive as to cover an expanse thirty miles long by fifteen wide. West of the carboniferous come several extensive patches of mesozoic rock, mostly of cretaceous age, in which latter occur remarkable beds of variously colored quartzite, jasper, flint and moss agate, and here are located the "Spanish Diggings."

When prospectors and cattlemen first saw these quarries the supposition was that the Spaniards of at least two centuries ago had there looked for gold and other precious metal, tearing away great masses of rock and hurling it down the steep declivities of the plains hills. No one considered for a moment that the American Indians or their ancestors were capable of such an amount of toil as had been expended. The workings were therefore given the name of Spanish Diggings, and locally that name will cling to them, in all probability, forever.

My first visit to the Spanish Diggings was made with Mr. William R. Lighton in the summer of 1905. Upon arrival at the first of the series which face Lighton Creek, twenty miles west of the Rawhide Mountains, we at once saw that the supposed ancient Spanish mines were in reality vast primitive quarries. The first of the quarries lies near the crest of a steep hill nearly five hundred feet above the plain. The slope was covered with spalls of frosted-off talus, or slide rock, as it is commonly called. Near the summit, where quartzite was exposed, the primitive artisan had conducted his



THE GREAT PLAINS, FROM SUMMIT OF RAWHIDE MOUNTAINS, EASTERN WYOMING
Extreme Background Sixty Miles Away



PREHISTORIC QUARRY IN THE "SPANISH DIGGINGS" COUNTRY

The Hon. Charles H. Morrill Geological Photographs, Expedition of 1906, University of Nebraska



GENERAL VIEW IN THE "SPANISH DIGGINGS," CONVERSE COUNTY, WYOMING

The Hon. Charles H. Morrill Geological Photographs, Expedition of 1906, University of Nebraska



GRANITE WEDGE, FOUND STICKING IN CREVICE IN QUARTZITE QUARRY

labor. He had taken advantage of the edge of the cliff, where quarrying was comparatively easy, and had worked along the natural fissures, which had been widened more or less from year to year by the expansive force of freezing water making cracks large enough for driving in stone wedges. A vast amount of chips was scattered in and about the quarry. Down the slope the spalls, too, had been worked over into small circular pits, where the refuse rock had been carried to the edge and deposited. Throughout the entire workings there were hundreds of wagon-loads of roughened-out quarry blocks shaped into some semblance of the implements for which they were intended. Back from the works on the summit of the hill we found a score or more of boulders around which were innumerable chips, plainly indicating that the aboriginal artisan had used the rocks for seat and anvil while he flaked his implements into the desired shape.

Near these small shop-sites were many fine projectile points, scrapers, drills and punches, while lying on the refuse were hammer-stones of trap, the latter being badly shattered. On the plains below, scattered along the course of the creek, were the stone circles of a very large village. Behind these circles were the individual shop-sites, and the whole village

was littered with chips and blocks which had been taken from the quarry on the hill above.

A description of one quarry answers well for any others where similar material was secured. When the quarryman sought the more flinty quartzite less exposed to the elements, he dug in from above, discarding large amounts of material apparently as good as that obtained. In the limestones there are numerous fine flint nodules, which appear to have been in great demand, and an immense amount of energy seems to have been expended in getting them. In places the flint chips cover acres of ground as thick as the chips around a farmer's wood-pile.

In quarrying, the workmen did much as modern quarrymen do. That is, they worked along the lines of natural breaks. The bedding planes are horizontal, and if the rocks have weathered or frosted much they part easily along these natural cleavage planes. In addition there are numerous vertical planes of cleavage, the result of sediment shrinking or drying. This enabled a primitive people not equipped with steel tools to quarry on a scale which is almost beyond belief.

Every hill in the vicinity of Lighton Creek shows prehistoric quarries, although there are many natural talus slopes which, to untrained explorers,

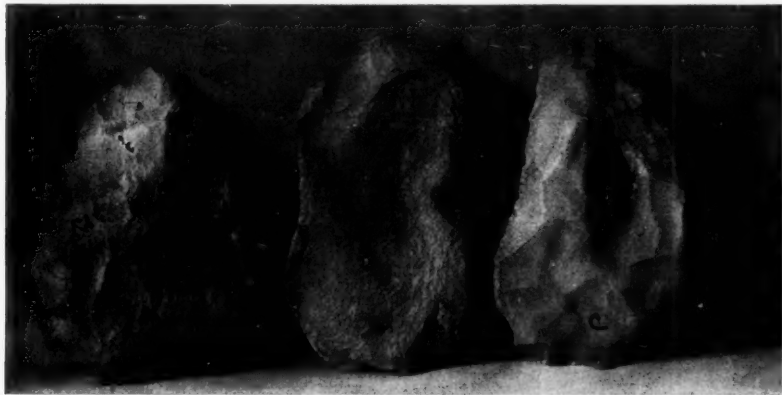
might be mistaken for quarries. Such an array of beautifully colored quartzites, jaspers, agates and moss agates is probably not known elsewhere. In texture they are fine and dense, and break with deep conchoidal fractures. In color they range from white to lavender, and lilac or violet to purple, from pink to deep red, and from yellow to blackish-brown. There is every grade, tint and shade to suit the savage taste.

These dense quartzites are resistant rocks and stand as caps on some hills and as overhanging ledges on others. In a certain locality the quarry may be in dense quartzite, banded white and blood-red; and, naturally, the implements made from it have a fine savage beauty. The next quarry may be in white, fine-grained quartzite and the next in purple, no two being alike. One quarry produces a brilliant yellow jasper. The material from each quarry is so characteristic that the chips and the implements made from its rock are readily traceable to their source, though distant many miles. In places the sandstone breaks into thin slabs along the bedding planes; hence it was

or less fragmentary, were of granite or trap. Moss agates of a great variety of colors were quarried, and chips and implements are to be found for miles around. The moss in these agates is black oxide of manganese crystallized in dendritic form.

Nature was kind to these primitive quarrymen, for the streams and numerous tributaries, being on an elevated plateau about five thousand feet high, have dissected the rocks in all directions, leaving bold faces exposed everywhere.

I was again accompanied by Mr. Lighton on my second trip to the "Spanish Diggings," in the summer of 1906. To the southwest of the series of quarries visited on our first trip we discovered more than a dozen very large ones, many of them covering a hundred acres of ground. On this trip I found, still sticking from a natural fissure in quartzite on the highest hill in the neighborhood, a three-cornered granite wedge—the first of its kind discovered. Prior to finding this quarry implement we were puzzled not a little regarding the manner in which the rock had been worked out. Lying



QUARRY BLOCKS OF PINK QUARTZITE, FROM THE "SPANISH DIGGINGS"
A, Leaf-Shaped Hoe; B, First Blocking of Axe; C, Large Hide-Scraper

easily worked and used for metates. In a like manner the schists were used for a similar purpose. Nearly all the mauls and wedges found, being more

by the wedge was a stone maul showing excessive use. The spalls broken out were piled with considerable care in half-circular forms on the side

of the pits which faced the plains below, seemed a precautionary measure of the workman by which he shut off the prying eyes of an enemy while at work in the pit. This quarry was accessible only from the west. On looking up from the plains a faint trail can still be seen leading upward to the quarry. It winds about huge boulders and along narrow ledges where a slip means a fall of two hundred feet or more. At the summit, breaking out of the hill's cap, are the quarry pits. There was nothing to indicate that white men had ever visited the place before me, the whole scene giving evidence of having been hurriedly abandoned. The entire summit of the hill behind the pits was strewn to a depth of several inches with shop refuse—large and small chips, flakes and rejectage.

As early as 1895 one of these quarries was visited by Mr. E. S. Riggs of the geological department of the Field Columbian Museum, Chicago. It had been previously visited, in 1893, by Mr. Sidney Bartlett of Cheyenne, who wrote a description of it for the San Francisco *Examiner*. Mr. Bartlett revisited the quarry in 1899, accompanied by Judge Eastman of Chicago. In the month of May, 1900, a quarry supposed to be the one described by Mr. Bartlett was visited by Dr. George A. Dorsey, curator of the Field Museum, Chicago. Dr. Dorsey was able to give the spot but a superficial examination (as stated in a letter written in December, 1905, at which time he felt that the whole matter should be reinvestigated). Upon his return to Chicago he had written the first scientific paper on the subject, and, in fact, the only one which has yet appeared concerning the quarry in question, or any other of the Spanish Diggings series. His trip was made under the guidance of Mr. J. L. Stein of Whalen Canyon, who has lived in eastern Wyoming more than a quarter of a century. Mr. Dorsey's paper is well illustrated. It appeared in the annual report of the Anthropol-

logical section of the Field Museum, and was incorporated in the annual report of the American Bureau of Ethnology, Smithsonian Institution. It appears under the title of "An Aboriginal Quartzite Quarry in Eastern Wyoming," publication No. 51, Field Museum Contributions.

Concerning the Spanish Diggings quarries, Mr. Stein, the experienced miner who acted as guide to Dr. Dorsey, says that the work is so extensive that it would take modern miners or quarrymen a long time to accomplish it. He believes it unlikely that three thousand men could accomplish so much in a year, using the latest explosives and machinery, instead of the stone wedges and hammer-stones handled by the primitive quarrymen. "Several of these quarries show great age—how great can only be conjectured. Lichens of the slowest growth and smoothly-worn fractured surfaces tell the geologist that it has taken thousands of years of wind and water to weather smooth the originally roughened surfaces of these artificially fractured rocks. The more protected surfaces are in much the same rough condition they were in when first broken from the parent cliff. Hammer-stones of trap and granite found in many of the quarries where agate was secured by the primitive quarrymen bear evidence of great antiquity. Many were found last summer which showed disintegration, while the lichens covering fractured surfaces were unusually heavy. A quarry of this description is located between the head of Willow Creek and Manville. Here are fully forty acres of circular pits, several of which are from seven to ten feet deep, worked down through the agate cap of a plains butte. Repeated blows with a blacksmith's hammer were required to fracture a spall six inches square, and it seemed incredible that the vast work could have been accomplished by primitive people armed with stone tools.

The region wherein the larger number of quarries is located is one

of desolation. The monotony of the plains, it is true, is broken by many flat-topped buttes and rocky hills. Though the brilliant sunshine of a mile-high altitude harmonizes the color of the sagebrush and grease-wood with the yellow and purple of the plains, a sense of loneliness fills one almost to oppression. From the line of hills where most of the Spanish Diggings are located the plains unfold without variation. Not a living thing—bird or beast—breaks inanimate nature's sway, save the "whir" of the rattlesnake—which one hears often—er than he desires—or the sight of a bunch of antelope, ambling across some barren stretch—always well out of gunshot.

But as the sun lowers and its horizontal rays illumine the banded quartzite quarries, or strike into flaming gold the yellow jasper or fractured agate ledges, the scene changes into a fairyland of marvellous beauty. Laramie Peak sets its strong blue outline against the deepening orange of the western sky, forty-five miles away. As the day deepens into evening the plains and foothills—first violet and then dark purple—contrast strongly with the brilliant colors of the quarry rocks, and what an hour before was almost a des-

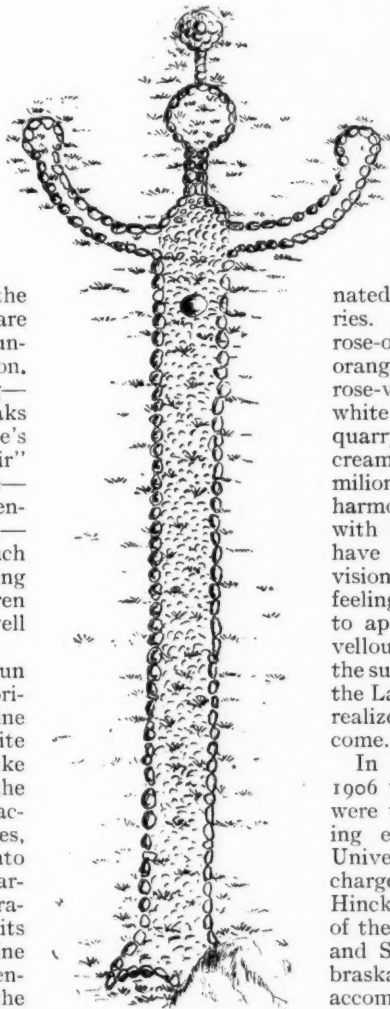
ert waste is now transformed into a spectacle of glorious tints toned by a master hand into a luminous color scheme perhaps unrivalled on the face of the globe.

At a distance of ten miles or more the climbing shadows of the western mountain ranges, transparent, but still low in tone, contrast strongly with the illumi-

nated faces of the quarries. Orange is turned to rose-orange, deep red to orange-vermilion, purple to rose-violet; one banded white and red quartzite quarry face runs from a cream-white to light vermilion, with dashes of harmonizing violet. Ready with palette and canvas I have stood beholding this vision many a time, but feeling so impotent even to approximate such marvellous color schemes that the sun has dropped behind the Laramie range before I realized that night had come.

In the late summer of 1906 the Spanish Diggings were visited by an exploring expedition from the University of Nebraska in charge of Prof. Erwin Hinckley Barbour, Curator of the University Museum and State Geologist of Nebraska. Prof. Barbour was accompanied by Dr. M. H. Everett of Lincoln, a well-known archæologist.

The party spent two weeks in the vicinity of the quarries and made a careful geological and archæological survey of the entire region, securing two thousand implements in seven stages of manufacture, from



"THE MAN OF THE MOUNTAINS"

the rough quarry block to the finished implement.

While clambering up the almost insurmountable slope of a rocky hill they discovered a remarkable figure. Laid out upon the hill, where it was less precipitous than above or below, they found a gigantic representation of a human figure made of spalls. It crudely depicted a man or woman, with both arms upraised. It was fifty-five feet long and about eight feet wide, the body looking not unlike a stone walk. The spalls forming the figure had been obtained near by, and had been carefully selected and assorted in regard to conformity as well as size. The rocks forming the figure were covered with lichens of slow growth and everything indicated that it had been made ages ago. Twenty miles east of the Diggings, on the summit of a plains butte, I found the figure of a serpent made of stones piled in much the same manner as in the case of the human figure at the quarries, and giving evidence of

equally ancient origin. Scattered about the foothills to-day are thousands of small piles of stone. Under the impression that they were coverings of the dead of former inhabitants, many of them have been explored, but in only one instance was there indication of a sepulture.

The whole Spanish Diggings country is still virtually unexplored. Even in its desolation it has attractive features, though rattlesnakes innumerable share possession with lynx and gray wolves. Few cowboys ever get as far west as the Diggings excepting during the roundups, and visitors are very scarce.

On the banks of every creek in the entire section can be found shops and village-sites, many of the former covering a full hundred acres, where an almost incredible amount of material taken from the quarries is scattered broadcast.

Geologically and archæologically the region is one of unusual interest, and scientific research there will be richly rewarded.

LORD RANDOLPH CHURCHILL

AS I KNEW HIM

By HENRY W. LUCY, "Toby, M.P.," of *Punch*

II

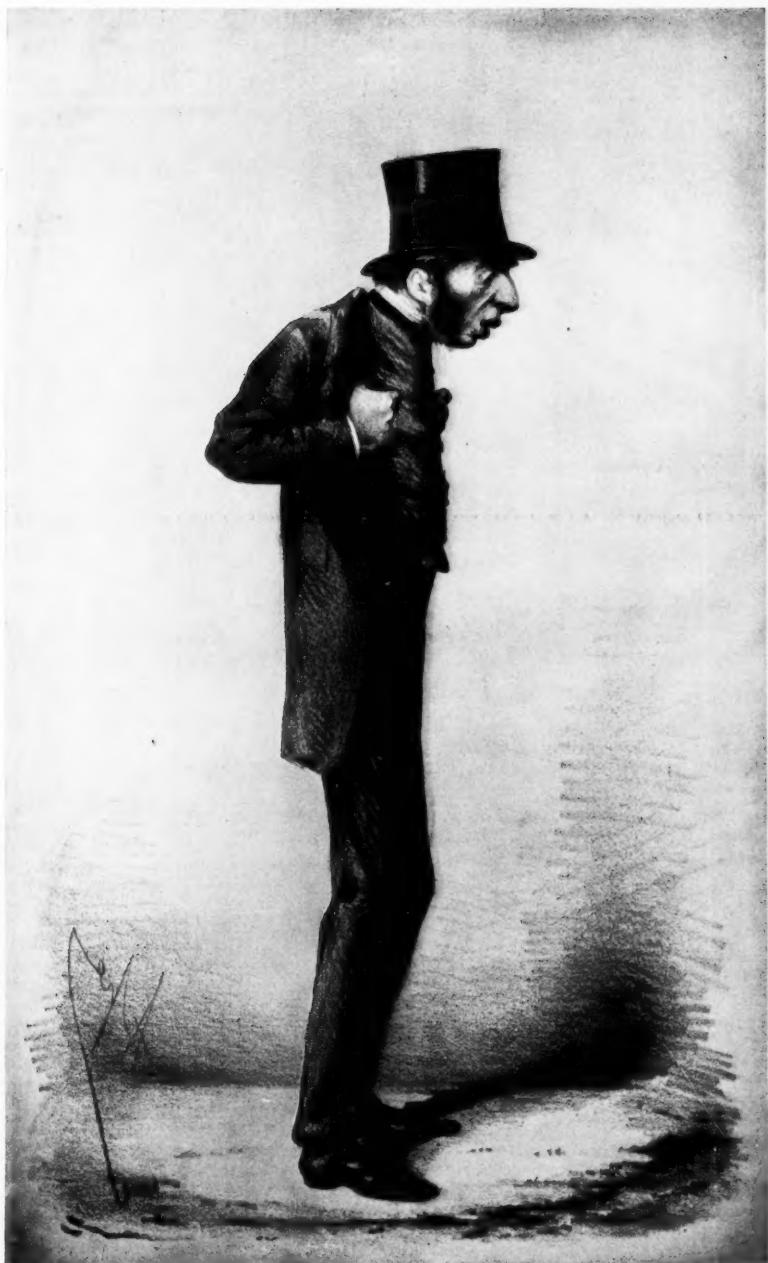


WITH the formation of Lord Salisbury's second Government, consequent on the rout of the Home Rulers at the poll in 1886, Lord Randolph reached the acme of his career. Mr. Chamberlain, friend and ally in spite of what happened consequent upon the Aston Park Riots, was so moved that he made a rare incursion into the Latin tongue. Writing on the 18th of June, when the composition of the new Govern-

ment was practically complete, he exclaimed—"What a triumph! You have won all along the line. *Moriturus te saluto.*"

The Marquis of Salisbury, installed as Prime Minister, was the nominal, of course the ultimate, dispenser of ministerial prizes. Lord Randolph was the absolute dispenser of patronage.

Having selected his own position, Chancellor of the Exchequer and Leader of the House of Commons, he did not forget comrades in the fight that resulted in splendid victory. He wrote to Lord Salisbury saying Drum-



Vanity Fair, 12 JUNE, 1869

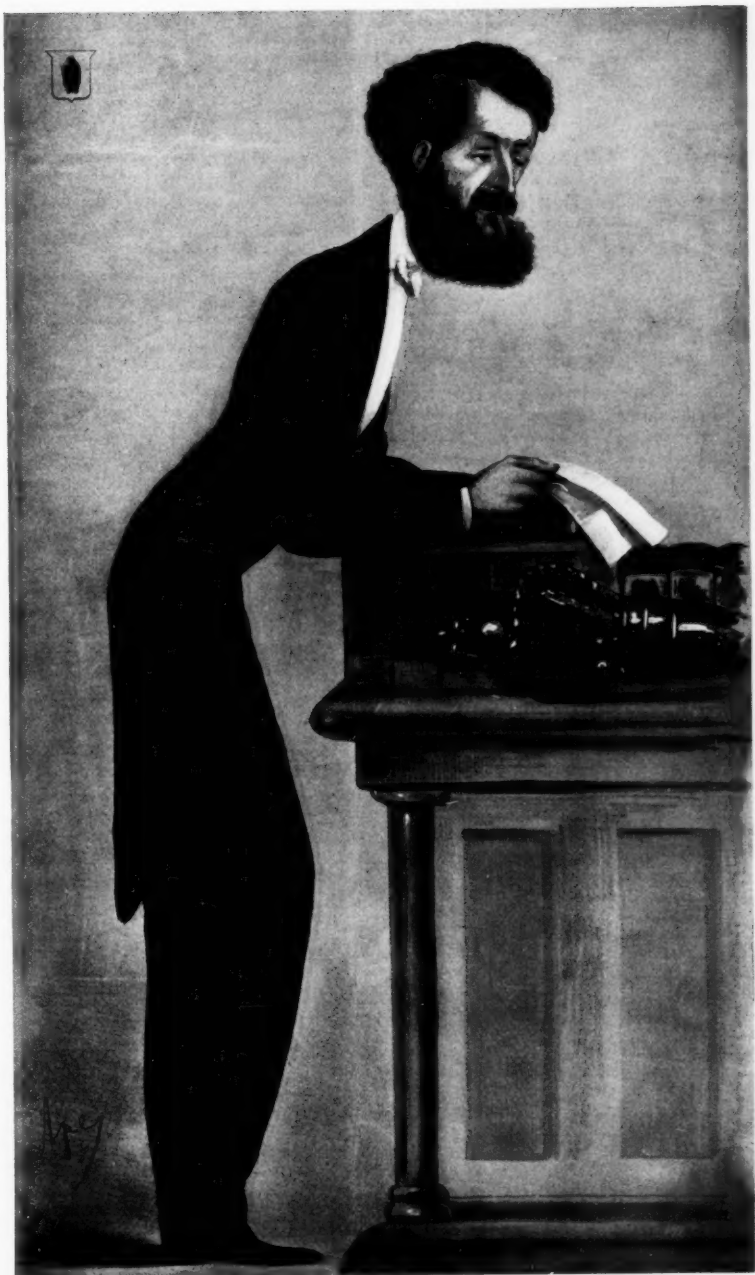
GEORGE JOACHIM GOSCHEN, AFTERWARDS VISCOUNT GOSCHEN
("THE THEORY OF FOREIGN EXCHANGES")

mond Wolff ought to be made a Privy Councillor and John Gorst appointed Under Secretary to the India Office. Whether in this last suggestion he was influenced by consideration of the fact that his ancient animosity, Sir Richard Cross—who he insisted should leave the House of Commons solaced with a peerage,—was to be head of the India Office, is not known. Certainly quick-witted, sharp-tongued John Gorst was exactly the man to buzz unpleasantly about the ears of arch-mediocrity. His famous speech upon what is known as "the Manipur incident," his chief during its delivery being seated in the Peers' Gallery, of itself fulfilled any possible expectation of fun cherished by the prophetic soul of Lord Randolph. Lord Salisbury looked after his nephew, Arthur Balfour, making him Secretary for Scotland, thus completing provision of the Fourth Party. That was natural and expected. Where astonishment deepened to consternation was on the pitchforking into the Home Office of Mr. Henry Mathews, a gentleman not only untrained in administrative affairs but new to Parliamentary life. Lord Randolph highly esteemed his capacity, proved in the professional conduct of his case when he carried into a court of law his charges against Mr. Chamberlain in respect of the Aston Park Riots. If Mr. Mathews were not made Home Secretary, Lord Salisbury must be prepared to get along without Lord Randolph. With this pistol at his head the autocrat, in whom Bismarck discovered a lath painted to look like a blade of iron, threw up his hands.

The new Parliament met on the 5th of August, 1886, and was prorogued on the 25th of September. The period was short. It sufficed to reveal a new phase of a many-sided character. At no period of his Parliamentary career did Lord Randolph display such high qualities as shone upon an astonished House during his term of leadership. His uncurbed temper, his imperious manner, abruptly changing to one of boyish

recklessness, seemed fatal to success in the dignified office to which at the age of thirty-seven he was called. The poacher had been made head gamekeeper. Nowhere was the experiment watched with greater trepidation than on the Treasury Bench. That Lord Randolph himself felt the difficulty and delicacy of the situation was shown by his nervous manner when following Mr. Gladstone in debate on the Address. He speedily recovered full mastery of himself and remained master of the situation. As Mr. Winston Churchill, a born parliamentarian, whose father lives again in the personality of a brilliant son, truly says: "Lord Randolph knew the House in all its moods. He humored it, offended it, and soothed it again with practical deliberation. Yet he always appeared to be its servant." The general verdict on his conduct was expressed in a much-prized autograph letter addressed to him by Queen Victoria on the eve of the prorogation. "Lord Randolph," she wrote in the third-person form of address with which Majesty approaches meaner mortals, "has shown much skill and judgment in his leadership during this exceptional Session of Parliament."

This fresh start in a career which, he jocularly said, would lead to the Premiership and Westminster Abbey, closed in a blaze of triumph. He was as popular as he was powerful. Every one, save perhaps disappointed claimants for office and ministerial colleagues whom he contemptuously called "the Old Gang," rejoiced in his prosperity. The shock was the greater when, exactly three months to a day after receiving the Queen's gracious letter of congratulation, there appeared in the *Times* announcement that the Chancellor of the Exchequer had resigned his office. The occasion of the Cabinet quarrel rose out of circumstances now familiar. Lord Randolph, pledged to economy, had framed a budget made impossible by the demands of the army and navy. Lord George Hamilton, First Lord of the Admiralty, yielded to the



Vanity Fair, 22 August, 1874

SIR MICHAEL HICKS-BEACH
("A SCAGLIOLA APOLLO")

extent of modifying his demand by £700,000. Mr. W. H. Smith, with a tenacity unexpected from one of his mild and modest manner, was implacable. He declined to reduce his estimate by a penny. Lord Salisbury, eloquent with apology, stood by the heads of the spending departments. Lord Randolph resigned.

There is no doubt he did not count upon his withdrawal from the Ministry becoming effective. Regarding the persons seated round the Council Table, he felt he was indispensable. There was none among them who could stand up against Gladstone, either as Leader of the House or Chancellor of the Exchequer. Unfortunately for him, for the Conservative Party, and for the country, his gaze did not extend beyond the walls of the dingy house in Downing Street. He "forgot Goschen."

In his biography of his father, Mr. Winston Churchill throws doubt on the existence of this forgetfulness. As I gave currency to a phrase since become historic, this may be a convenient place for stating my authority. It was Lord Randolph himself. "A little less than a week after I had written to Lord Salisbury resigning the Chancellorship," he said in words of which I made a note at the time, "I was walking up St. James's Street when I met——" (mentioning the name of a lady well known in political and social circles). "She was driving and stopped the carriage to speak to me. She asked how things were going on. I said I thought they were doing nicely. Hartington had refused to join them, and whom else could they get? 'Have you thought of Mr. Goschen?' she asked in voice and manner that indicated she knew more than the innocent inquiry indicated. It all flashed on me in a moment. I saw the game was lost. As I confessed to her, I had forgotten Goschen." Shortly after this conversation I met the lady, happily still with us, and mentioned Lord Randolph's statement. She confirmed it with the curiously graphic remark: "Driving

up St. James's Street, I never pass a certain lamp-post without thinking of Randolph—of the sudden change that came over his face when I mentioned Mr. Goschen, and the abrupt salute with which he passed on." He had played his game, laid his last treasured card on the table, and it was trumped.

When Parliament met for the session of 1887 under the leadership of Mr. W. H. Smith, there was reiterated rumor of reconciliation and return. Gradually they ebbed away and Lord Randolph lapsed into the position of a private Member. His personal influence was however scarcely less powerful than when he was in office. His every movement in and out of the House was watched with keen interest. His lightest word was reported. At an early stage of the new situation there were indications of a coalition between himself and Mr. Chamberlain. For a while they dreamed the old dream of a central party free from the vices and weakness inherent to political partnership, a brotherhood where none were for party and all were for the state. Like earlier projects, since and before the time of Macaulay, it came to nothing. Presently hasty words spoken on both sides brought about a coolness in the relations of two men attracted to each other by certain similarity of character.

Then came rupture. Lord Randolph held a safe seat in Paddington, but he had no sympathy with villadom and yearned for a great constituency that would appreciate his democratic Toryism and strengthen his position as its apostle. Opportunity hailed him from Birmingham. John Bright was dead, and Central Birmingham, where by the irony of circumstance arising out of the Home Rule Bill this once ultra Radical had been supported by the Tories, was looking about for a successor. Lord Randolph, whose personal popularity in the Midland metropolis was barely exceeded by Mr. Chamberlain's, eagerly accepted overtures inviting him to stand. On the 2nd of

April, 1889, a deputation representing the Tories of the constituency arrived at the House of Commons with formal invitation. Lord Randolph's course seemed so clear, his mind was so joyously made up, that pending the striking of five o'clock, the hour at which he was to receive the deputation, he instructed his friend Louis Jennings to draft an address to his Paddington constituents, severing his connection with the borough, and another to the electors of Central Birmingham accepting their invitation to contest the seat.

As at an earlier crisis he forgot Goschen, so now he left Mr. Chamberlain out of his calculation. The blending of the Liberal Unionist element with the main body of the Ministerial forces was still so far from being complete that there existed an understanding whereby certain seats should be reserved for Liberal Unionists. Mr. Chamberlain claimed Central Birmingham as one. Even whilst the deputation were approaching Westminster assured of the success of their mission, whilst Louis Jennings was penning the two election addresses, whilst Lord Randolph was preparing to receive the emissaries, Mr. Chamberlain was at work. He saw Sir Michael Hicks-Beach as representative of the Government, and warned him that Lord Randolph's candidature would mean disruption of the Unionist alliance. He dragged the unwilling figure of Lord Hartington to his side. In despair Sir Michael saw Lord Randolph and explained to him the peril of the situation. With that loyalty to his former colleagues which on several critical occasions since he quitted the Ministry gave an air of irresolution to his actions, he left the matter in the hands of his old friend. The old friend loved Lord Randolph as a father loves a favorite son. But he loved his party more, and Lord Randolph was sacrificed.

It was, I think, the hardest blow of the many knocks that were battering out the still-young life. He felt it even more acutely than the sudden

halt in his Ministerial career in its most brilliant hour. I happened to be in the lobby when he came out of the whip's room, where doom was spoken. He was so altered in personal appearance that for a moment I did not know him. Instead of the familiar swinging pace, with head slightly bent, but with swiftly glancing eyes, he walked with slow, weary tread, a look on his pallid face as if tears had been coursing down it. No one who knew him only in the fierce struggle of public life would have imagined him capable of such profound emotion. It was a blow from which he never recovered, though there was temporary re-birth of the ambition to represent something other than the bourgeoisie of Paddington when, little more than a year before his death, he announced his intention of standing for bustling Bradford.

Eleven months later, another incident befell, which again wounded him to the heart. When Lord Salisbury's Government announced their intention of appointing a royal commission to inquire into the *Times* allegation against Parnell, Lord Randolph, generously mindful of the peril into which his old colleagues were blundering, drew up a reasoned protest addressed to Mr. W. H. Smith. Amongst state papers it is a masterpiece of keen insight, clear argument, and remarkable prescience. Of course the "Old Gang" took no heed of counsel coming from this quarter, and affairs went on to the appointed end. When in March, 1890, the report of the commission came before the House of Commons, Lord Randolph, in conjunction with his *fidus Achates*, drafted an amendment in which censure was strictly confined to the action of the *Times* in the matter, ignoring the action of the Government. Mr. Jennings was in his place, prepared to move this amendment, expecting in accordance with custom that on resumption of the debate the Speaker would call upon him.

But Lord Randolph, in his wilful way, had changed his mind, and in

his imperious manner disregarded the claims of others, even though one might be his most intimate and faithful friend. To the astonishment of every one, not least Louis Jennings sitting on the bench behind him, he rose and delivered a speech in which he made an uncompromising attack upon the Government. When he sat down the benches began to empty. Inertest in the situation was exhausted. Louis Jennings's amendment had crowded the House, because it was understood, correctly as we know, that it was actually Lord Randolph's, and that he would support it by speech. On the contrary, he not only displaced the priority of the amendment, but delivered a speech wholly contrary to its spirit, being a bitter indictment of the Government.

Wounded in the house of a friend, Louis Jennings straightway severed his connection with one to whom for some years his services had been chiefly devoted. Lord Randolph, even as he sat down, perceiving how matters stood, tore off scraps from his copy of the Orders and, pencilling pathetic little messages, had them passed on to Jennings, seated midway on the bench behind him. They met with no response, not even that of an angry look. "Jennings has taken the needle," Lord Randolph said, coming up to me in the Lobby shortly after his speech. It was a quaint phrase I never heard before or since. It lingers in memory over the waste of years.

The episode had a personal bearing which brings into strong light one of the marked features of a strange character. Lord Randolph was a delightful person as long as he was pleased with his company or his surroundings. But he would not stand any nonsense in the way of difference from his expressed opinion. To slightly vary the characteristic of the little girl of fable, when he was pleased he was very very nice; when he was crossed he was 'orrid. In the course of time he quarrelled with all his intimate co-workers with

the exception of Sir Michael Hicks-Beach, Ernest Beckett, now Lord Grimthorpe, his brother-in-law Lord Curzon, and Sir Henry Wolff. John Gorst and Henry Mathew were amongst other former friends and companions dear whom he ruthlessly cut.

My acquaintance, ripening into warm friendship, began early in his public career. It certainly was not nourished by monotonous adulation. In *Punch*, in the "Cross Bench" articles in the *Observer*, and elsewhere, I wrote of his parliamentary phantasies with freedom untrammelled by private relationship. He seemed to enjoy rather than resent the criticism. During the session of 1886 there appeared in the *Daily News* a leading article commenting rather sharply on a speech made by him the night before in the House. I was not the writer of the article, but chanced at the time to be editor of the paper. Looking in at the lobby I was accustomed to stand by the chair of the chief doorkeeper, and Lord Randolph passing in or out invariably stopped for a friendly chat. On the evening of the appearance of this article he looked me straight in the face as he passed and walked on without a word.

Naturally I said nothing then, or later, and for four years we were strangers. At the beginning of the session of 1890 Louis Jennings several times approached me with intimation that Lord Randolph wanted to make up the quarrel. In the end I said that he had deliberately cut me as I stood in my usual place in the lobby, that I should be there every day after Questions, and if he came and spoke to me conversation would proceed as nearly as possible in continuance of what we were saying the last time we conversed. On the next evening Lord Randolph came up with outstretched hand and beaming face. There was no apology or explanation, only the old friendship was renewed, not to be broken again save by the hand of death.

In the old familiar way he asked me to dine with him at the Junior

Carlton on the Sunday after, to meet some friends—an invitation I was delighted to accept. Among the guests was Louis Jennings, greatly pleased at the result of his friendly offices. The date of the dinner was Sunday, 31st of March. On the following Tuesday happened the event recorded in connection with the Parnell Commission. Passing through the lobby, having announced his intention of not moving the amendment, Jennings said to me, in tones whose bitterness testified to his hurt, "It's an odd thing. Randolph has just as many friends to-day as he had a week ago. He has regained you and he has lost me." The rupture was final. Lord Randolph made several attempts to recapture his old friend. They were sternly, stubbornly ignored. Three years later, Jennings—one of the truest-hearted men that ever breathed—died, not having in the meanwhile broken the pained silence that brooded over his blighted friendship.

In 1890, the Government being in a parlous state, there seemed prospect of Lord Randolph's being called to its assistance. Sir Michael Hicks-Beach, probably not altogether easy in mind recollecting the part played by him in the matter of Mr. Chamberlain's repulse of Lord Randolph in his candidature for Birmingham, personally urged Lord Salisbury to recall the strayed reveller. But the Premier, small blame to him, had had enough of the company in the Cabinet of his intractable young friend. Perish the Government rather than resuscitate Lord Randolph. Accepting what he regarded as the close of his political career, Lord Randolph set out for South Africa in search of gold and big game. The former he found; the latter, in the person of a lion, nearly found him. He came back early in 1892 improved in health, his interest in politics quickened by the circumstance that the Unionist party was now in opposition. At Mr. Balfour's request he seated himself

among his old colleagues on the front opposition bench.

Thence he rose to take part in debate on the second reading of Mr. Gladstone's Home Rule bill. The appearance of the House testified to the deathless interest he commanded. Every bench was filled, a crowd of members, unable to find seats, thronging the Bar. But the stars in their courses fought against Sisera. It was arranged that Lord Randolph should resume the debate immediately after Questions. Had that been possible all might have been well. But some one raised a question of privilege which wrangled on for a full hour, through which Lord Randolph sat fuming. He had at the proper moment taken some drug designed to "buck up" his frail body, through the hour he intended to speak. When the hour had sped, the tonic effects of his medicine were exhausted, and it was a decrepit man with bowed figure and occasionally inarticulate voice that at length stood at the table. It was a painful spectacle, from contemplation of which members gradually withdrew. The chamber, which once filled at the signal "Churchill is up," was almost empty as he sat down. Yet Mr. Bryce, who sat attentive on the Treasury Bench opposite and heard every word of the speech painfully read from MS., told me it was a cogent argument, admirably phrased, illumined by happy illustration, in these respects falling nothing short of earlier successes.

Lord Randolph was an habitual diner-out, even more enjoying opportunities of giving dinners. At the end of the session of 1880, when the Fourth Party had succeeded in making themselves an organized power in the House, they, gravely mimicking the then prevalent custom of Ministers, dined together at Greenwich. They invited a single guest—Mr. Labouchere. Lord Randolph was rather a trial to hostesses, none being quite sure in what mood their festival might find him. It came to pass in time that he acquired the habit of

Royalty, commanding that the list of guests should be submitted to him before he replied to an invitation. The first time I met him at table, precursor of many delightful foregatherings, was at a farewell dinner Colonel Fred Burnaby gave on the eve of my departure on a journey round the world. Burnaby told me that, showing Lord Randolph the list of guests, he asked him whom he would have as companions. He named Frank Burnand, then editor of *Punch*, and one of his colleagues.

I was several times privileged to form one of a quartet driving in a four-wheeler from the House to dine at Connaught Place. On such occasions, Lord Randolph, Drummond Wolff and John Gorst were like boys just let out of school, not only speaking disrespectfully of their pastors and masters but ruthlessly chaffing each other. I never met Mr. Balfour at these symposia. Lord Randolph frequently gave little Sunday night dinners at the Turf Club, where one occasionally had the felicity of meeting those renowned Irish wits Dr. Nedley and Father Healy.

The dinner party alluded to on an earlier page, the last time Lord Randolph and Louis Jennings sat at the same table, was memorable in other ways. The invitation was "to meet H. R. H. the Prince of Wales," now King Edward VII. The fact leaking out that among the company was Dick Power, the popular whip of the Irish Nationalist party, complaint was sounded in Unionist circles that Randolph was plotting to bring H. R. H. and the official Home Rulers together. What the host chiefly had at heart was to draw round his royal guest a cheery company, an effort in which he was successful. Of others present I remember Sir William Harcourt, seated on the host's right; Lord Morris on the Prince's left; Frank Lockwood, Louis Jennings, and Mr. George Lewis, not at that time knighted.

The last time I dined with Lord Randolph was on what proved to be his final appearance in the character of Amphitryon. Contemplating

a journey round the world, he bade to his mother's home in Grosvenor Square a score of old friends. On his left hand sat Mr. Arthur Balfour, in old Fourth Party days a private under his command, now his successor in the leadership of the House of Commons; on his right was Mr. Henry Chaplin, from whom in the early eighties his vagaries had compelled grave reproof. Round the table sat Mr. David Plunket, now Lord Rathmore; Mr. Rochefort Maguire, Mr. Labouchere, Mr. Edward Dicey, Mr. George Lewis, Sir Henry Calcraft of the Board of Trade; Sir Edward Hamilton, sometime Mr. Gladstone's private secretary; Sir Edward Lawson, now Lord Burnham; Sir Michael Hicks-Beach, Sir Algernon Borthwick (Lork Glenesk), Mr. John Morley, Mr. Henry Arthur Jones the dramatist; and Sir Francis Knollys, secretary to the Prince of Wales. Unavoidably absent were Sir William Harcourt, Mr. Asquith and Henry Irving.

The host was not in talkative mood, but kept a watchful eye on the comfort of his guests. One noticed how nervously his hand beat on the table as he gazed around. After dinner he talked with eager interest of his coming journey. Two prospects that chiefly attracted him were the shooting of big game in India and the opportunity of visiting Burmah—"Burmah, which I annexed," he proudly said. He had accepted a commission from a Paris journal, to write descriptions of his tour, intending to fill them chiefly with his shooting expeditions. But he did not reach India; and Burmah never saw the statesman who in his brief tenure of the India Office added the glow of its rubies to the splendor of the English crown.

This dinner took place at 50 Grosvenor Square on the 23d of June, 1894. At Christmas time Lord Randolph was hurried home and carried a mere wreck into his mother's house, where he died early in the morning of the 24th January, 1895. He was in his forty-sixth year—the very prime of life, as others count it.

LEGAL DEFEATERS OF THE LAW

By FREDERICK TREVOR HILL

Author of "Lincoln the Lawyer"



THE usual retort to the accusing inquiry, "Can lawyers be honest?" is the counter-question, "Can lawyers be more honest than their clients?" Behind every devil's advocate there must be a devil, and the supply is regulated by the demand; but there is this to be said for the clients,—they do not always know the means taken to achieve their ends. Their innocence is often, perhaps, that of the burglar's "fence," who takes what comes to him and asks no questions; yet sometimes it happens that a devil is not as black as his legal deputy paints him.

For instance, it cannot be supposed for a moment that all the directors of our railroads are aware that their attorneys often defeat accident claims by deliberately luring the judges into errors which upset just verdicts on appeal. Nor is it to be believed that city officials personally connive at legal manoeuvres by which municipalities virtually rob honest creditors. Yet these things, as will be seen hereafter, are done almost every day in the name of the law by men who are officers of the courts.

Conscience is said to be largely the creature of custom, but however that may be, the average lawyer's conscience is so ruled by legality that it frequently approves the overruling of the law.

Some years ago in Boston a burglar named Record was suspected of gaining access to the houses he robbed by means of duplicate keys, but for a long time he successfully evaded the

police. Finally he was apprehended in the very act of removing a key carelessly left in a front door, and being arrested, was duly indicted for larceny. Benjamin Butler defended him and pled that a key was part of a door, a door part of a house, and a house real estate. Therefore no conviction was possible for larceny, which covered the stealing of personal property—not real estate. This plea actually availed, and the prisoner was discharged.

In New York, Mr. Henry L. Clinton, a well-known criminal lawyer, successfully defended a brutal murderer named Shay by discovering a clerical error in the indictment. This paper, instead of reciting that Shay, with a certain knife, stabbed his victim, read, "a certain knife did stab," etc., which the lawyer insisted was an indictment of the *knife* rather than of *Shay*, and the culprit went free.

This same eminent practitioner asserts that he defended over one hundred murderers in his career and succeeded in every case—either acquitting the prisoner or saving his neck. A statement which speaks for itself.

Again, Butler boasted of having saved one Hayward from suffering the death penalty by interposing a curious defence. Hayward was a burglar who broke into a railroad depot. He was immediately pursued by a constable, and seeing that escape was impossible, he coolly waited for the officer and deliberately shot him to death. Butler discovered that almost the only kind of building not covered by the statute making burglarious entry a felony, was a railroad depot. Therefore he claimed that

Hayward in breaking into a railroad station-house had committed no offence for which the constable could arrest him without a warrant, and that a death resulting from resisting an illegal arrest was not murder in the first degree. This plea succeeded!

These are a few of the innumerable cases in the books where criminal lawyers have insisted upon the letter of the law at the expense of its spirit. But to suppose that the average civil practitioner entertains any great scruples against enforcing the law regardless of justice is not justified by the facts.

For instance, no lawyer of good standing would hesitate to invoke the "statute of limitations" against a just claim, if it was outlawed by as little as an hour. The fact that the debtor is taking a scoundrelly advantage of the law to avoid the payment of an honest due, would not sway the practical attorney a hairsbreadth. He might shrug his shoulders and say he would n't do it himself, but he would feel no moral responsibility about presenting the defense professionally. On the contrary, if the meaning of the statute had to be stretched a little to cover and bar the claim in question, most attorneys would contend for the necessary interpretation with a zeal unabated by any questions of conscience.

The same is true of the plea of infancy, which has been cheerfully and successfully interposed on behalf of an unscrupulous debtor aged twenty years, eleven months, and three hundred and sixty-four days. There may be some slight prejudice in the better element of the profession against "playing the baby act," as it is called, but reputable lawyers frequently rise superior to the prejudice with disastrous results to creditors whose only fault has been their failure to examine the baptismal record of a morally responsible young customer.

The Statute of Frauds, which requires certain transactions to be in writing, is another stumbling-block to incautious honesty, and it is fre-

quently interposed to defeat a contract made in entire good faith, which has proved unprofitable to one or the other of the parties. A lawyer would not only be justified by the ethics of his profession in helping the loser to wriggle out of his obligation by pleading this morally doubtful but legally sound defense, but he would be considered too particular for practical work if he hesitated to take such a case. Yet the Bar would be highly indignant were it accused of promoting wrong-doing by its attitude in such matters.

These are all statutory defenses, sanctioned by the law, and enacted for the greatest good of the greatest number, and the answer of the profession is that lawyers must apply the law as they find it, and not as they might like it to be for particular persons or special instances. As officers of the court, they take the position that they are no more responsible than the judges for the hardships which general laws work in exceptional cases.

"But how about the distortions by which ingenuity and cunning defeat the plain purpose of the law?" was asked of a lawyer, who offered this more or less plausible excuse for the frequent miscarriages of justice.

"Oh, there's no use talking about things which can't be proved," was the somewhat naïf reply.

If such things were more talked about, however, they might be disproved—a consummation devoutly to be hoped for by lawyers who have the best interests of their profession at heart, to say nothing of the honest litigants who are daily being entangled in the technicalities of the trade.

Assuming that lawyers are not responsible for the harsh working of general legislation, there remains an almost infinite variety of legal defeats which are not, to say the least, quite automatic. For instance, there is a provision in the New York City Charter which requires persons having claims against the city to present them to the Comptroller before bringing suit. This law is familiar to most

counsel and it is generally complied with. But it sometimes happens that an attorney, after his client's claim has been duly presented to the Comptroller, will omit to state that fact in his complaint when action is begun in the courts. Now what does the attorney for the city do, when he observes this fatal omission in the formal papers? Does he go to his fellow practitioner and call his attention to the technical error on the theory that the city does not desire to deprive any honest man of his just dues? Not as a rule. He carefully draws his answering papers in the manner best calculated to prevent his adversary from becoming aware of the error, and if possible he delays the trial until the claim is legally barred by lapse of time. Then he lets the case crawl up to trial on the calendars, and after a jury has been empanelled, he unmasks his technical-objection batteries and shoots the case out of court with costs against the claimant. If the creditor is not absolutely barred he may commence his proceedings over again, but rather than do this he is usually willing to compromise.

Now, the counsel for the city and his assistants are usually lawyers of high standing, but the facts as above recited are of not uncommon occurrence. Possibly this is one of the things which it would be better not to speak about. But better for whom?

Criticism in the case last mentioned would probably be met with the answer that the unfortunate claimant had a poor lawyer, and that the counsel for the city could scarcely be expected to act as his instructor and guide—an explanation which suggests that if some lawyers know too little, others know too much for the sake of decency.

One hears much virtuous denunciation of the ambulance-chasing shysters, but it is not those irresponsibles but certain "high toned" expert defenders of negligence cases who afford the most dangerous examples of moral obliquity known to the profession. These gentlemen are specialists in the particular branch of the profes-

sion which they have chosen. They usually know more about the details of accident law than their opponents, and they frequently know more than the judges themselves.

Now let us suppose the case of a passenger crippled in a railroad accident, and a suit for damages against the corporation. And let us suppose that the cripple has a strong case and the railroad is apprehensive of a heavy verdict against it. How does the expert defender proceed? Very simply. He goes into the trial with but one definite purpose, and that is to trick the judge into some error which will upset the verdict on appeal. This limb of the law has been trained until he knows every decision pertaining to his business, and the judge who is not lured into some technical mistake in passing hurriedly on the multitudinous "objections," "requests," and "motions" of the specialist must have luck as well as law on his side. The chances are all in favor of the expert defender. He may make a hundred objections, but if ninety-nine are futile and one is supported by authority, his purpose will be achieved.

It is highly interesting to observe one of these individuals at work. He will be all activity and interest until he manages to slip in his damaging "exception," and then the trial has little or no further interest for him. He can sit back and laugh in his sleeve as the verdict is recorded against his client, knowing that it will be reversed on appeal, and at that stage of the litigation verdicts are worth about ten cents on the dollar for the purposes of compromise.

Judge Brewer cites a striking example of the sort of spoke which the trickster can surreptitiously insert in the wheels of justice. A witness testified in a certain case that a person named Mary was present when a particular conversation took place, and the question was asked "What did Mary say?" This was objected to, and after some discussion the judge ruled out the question. An "exception" to this decision was immediately taken, and on appeal the higher court

reversed the verdict and ordered a new trial on the ground that the question should have been answered. At the second trial the same inquiry was propounded and elicited the information that *Mary said nothing!*

Though some of the expert defenders of accident cases are the most notorious legal jugglers of this stripe, they are not by any means the sole offenders. There are others to be found in every courtroom—both prosecutors and defenders, and legal tampering with the law is not confined to the court rooms. No sooner is a statute of importance placed on the books than an attempt is made on the part of some interested party to declare it unconstitutional, or, if this is impracticable, to obtain a judicial interpretation which will impair its plain purpose. The efforts which have been made by lawyers to override the laws often seem to the layman sheer brazen effrontery; but they are so frequently successful that Benjamin Butler is said to have remarked that "the law is anything which is plausibly presented and persistently maintained."

These open attackers of the law, however, have a secret assistant in the ranks of the profession whose work should not be lost sight of because it is performed behind closed doors. This is the legal adviser of corporations and others, whose expert and particular knowledge on the nice wording of statutes is very much at the service of our legislatures. This gentleman does not openly oppose the passage of laws obnoxious to his clients—there are other agents for that. He consults with the legislative committees in friendly counsel and suggests, from his wealth of legal precedent, a word here and there which

will apparently better express the meaning of the law in question. If the committee, or their counsel (who is generally less expert than the volunteer attorney—else the two would soon change places) listen to the gratuitous advice diplomatically offered them, the law will be defeated before it is enacted; for the expert will so undermine it that his brethren, the advocates, will subsequently make short work of it in the courts.

The legal profession has become so accustomed to activities of this kind, that it meets criticism on the subject with a stare of unfeigned surprise. But the answer of the apologists is glib enough when it comes: "No law ought to remain on the statute-books which is contrary to the Constitution, and the right to test the validity of every law is absolute. It is preposterous to criticise lawyers for seeking judicial interpretation of the statutes, and infamous to hint at bad faith." Which storm of blustering insincerity and self-deception passes harmlessly over the head of any one who knows the facts and has not parted with his judgment for a price.

The truth is that lawyers are very much in need of seeing themselves as others see them. It should be salutary to the profession to know that they are coming to be looked upon by fair and broad-minded men as defeaters of the law and mockers of its majesty. If this deepening impression is not justified, it is high time that certain things not now spoken of should be openly discussed, and that the powerful influence of the best element of the profession should be exerted upon its members, to the end that public opinion may not anticipate private reformation.





FROM THE ISLANDS

By G. B. LANCASTER



HE six men in the wardroom were waiting. The tense silence told it; the nervous flip of a book-leaf; the stealthy sidelong blink to the door.

Outside, the water talked against the keel, crashing loud, or dying in murmurs as the vessel heeled. From the deck rang a volley of laughter that rocketed forward to the men's quarters. Wallace fidgeted his canvas shoes on the carpet, and giggled uncertainly at nothing. Then the doctor opened the door, shifting his keen glance round the room.

"The Boy on deck?" he asked.

"Yes," said Archer, curtly. "Don't you hear him playing the fool?"

"Ah," said the doctor, and the men looked up suspiciously at the grate in the voice. But no one spoke.

The doctor crossed the room, and dropped on the sofa that ran the length of the wall under the port-holes. One flash of palms on a reef near horizon showed as the boat lifted. Then the vagrant coloring of a South Sea sunset held space for its own. Surrey swung round from the table.

"Well," he said, impatiently. "Did you try it? Did you test it?"

"Yes. But I told you that it was not necessary. I . . . told you that I knew, before."

A silence. Then some one spoke from a corner where the shadows were dusky.

"That means—?"

"It means death. Yes."

The rush of quick light feet sounded overhead where the Boy and the second lieutenant were practising

cakewalks. Archer's hand shut on the page of his book. Shut tightly, and more tightly, until the leaf ripped out under the grip.

"Of course—without proper test-things, you know . . . a fellow can't be certain, you know. Probably—"

"I can be certain. I've seen too much of that sort of thing down in the Islands, Archer. I knew the spear had been tipped with diseased human bone before I got the splinter out of the wound. Because all Solomon Islanders use human bone. And I knew that the poison on it would be poison taken from a putrid human body—because the Solomon Islanders use that sort. There's enough in that tiny splinter to kill a score of men yet."

"But the Boy feels no ill effects. He felt none at the time. It is nonsense, Murray—nonsense. Four days ago—is n't it four?"

"Three, sir." Creed turned to the captain. "We were not quite two days bringing the cutter down from Bogutu."

"Well, well; three. That's long enough, surely, Murray; that's long enough?"

"I have known tetanus take five days to develop, sir, even in this climate. And ten to kill."

The chief engineer was spoiling his best pen on the blotting-pad.

"He deserves it for nosing round their villages that way," he said, sharply. "Cheeky young devil he always is! Not his fault we're not all in the soup."

"Who will tell him?" asked Archer, slowly.

Ches Barrett jumped up with a half-bitten oath.

"Oh, it's rot! I tell you it's rot! Hear him fooling up there with May, and you—you say he's as good as dead now. It can't be. When we reach Sydney——"

"The Boy will never reach Sydney," said Murray.

Ches stared at nothing through the port-hole, and the apple of his throat burnt. He was third engineer these days; and the Boy had been school-chum of his before the sea took them and made of them men to serve her.

"It's . . . a hard death, is n't it?" asked Archer.

"Yes."

The captain's chair creaked.

"That is unnecessary. You can—surely you can prevent that! Good Heavens, man! any doctor who knows his business can—can do something——"

"If I had sufficient chloroform," said Murray, steadily, "I would use my own discretion, and men might call it murder if they would——"

The chief laughed impatiently.

"The Boy would n't say 'Thank you' for that! Do you think he won't stand up to it like a good one—cheeky young devil! 'Member that row on the China coast last year? The Boy does n't leave heel-taps when he's after drinks."

"The Boy will stand up to it—better than we will," said Murray; and this time his voice was not quite even.

"Who will tell him?" asked Archer again.

The captain turned with his hand on the door.

"No one will tell him," he said. "No one. It—gives sufficient warning for any one so clean-lived as the Boy. Let him have his fun."

He went up to the bridge, hearing the Boy dive down the companion behind him, casting ribald scorn at May.

The Boy burst into the wardroom, dropped into the first chair, and panted, using the fronts of his white coat punkah-fashion. Quite truly he was a cheeky young devil. Men saw it in the swing of his long lithe limbs,

and the set of his small head; and in the impudent determination that drove him through dangers that a saner man would burke.

"I've cakewalked till I'm sick," he said. "May's a—a Chinese junk at it. Come here, Poddy, an' tell 'em what a fool you are. Oh, Lord; it's hot!"

The strong vivid life of him struck on the silent room with a sharpness that made men catch their breath. For in such a very little while——

"What—what are you still fooling over that game for?" asked Archer, because it was necessary that some one should speak.

"Got to," yawned the Boy, stretching his arms. "Eight days—we'll touch Sydney in eight, won't we, Creed? Well, there you are. The amateurs give their kick-up the Friday after. Marshall had some sense to put Poddy in the curtain-raiser only. If he can't dance a cakewalk it's quite certain that he could n't fight a duel. Poddy, why did you let yourself get born an elephant?"

"Are—are you in the curtain-raiser?" Wallace's hysterical giggle found echo in Creed's throat also.

The Boy rolled along the lounge, and annexed May by the leg.

"I am not! D'you think I'd dance with that thing waggin' beside me? I would n't be seen at the turns. Now, look here. I'm to have a wig an' knee-breeches an' a sword—that's all right. But how the deuce does a fellow fence in ruffles and laces and fooleries? Did they take off their coats and roll up their sleeves in the sixteenth century?"

"Of course," said the chief, because it did not matter what he said.

"Good-o!" The Boy sprang up. "I can make that duelling business rather corky, I think. Come along out of that, Ches, and we'll have a go at it. Creed, d'you remember the wrinkles we got from that old josser in Canton? I'll make Martin sit up! He's my villain, you know. I've got to bash him. Ches . . . if I have to come for you . . ."

"Don't—don't you think you'd better rest a bit, old chap?"

"Rest! What for? To get as fat as Poddy? No, you don't, you lazy old beggar. Plenty of time to rest when you're dead. Come on."

They looked at the Boy where he swayed to the vessel-swing and grinned at them. Then Archer got up and went out, feeling his way down the passage because his eyes were blinded for the time.

"We have n't got walking-sticks," said the Boy, frowning, "or even umbrellas. Oh—by jingo—"

There was no reverence in the Boy, or he would not have jerked a couple of straight Chinese swords from their slings on the wall without apology or hesitation. For the chief had captured those swords in red fight.

"Drop those, you brat," said the chief, rising. "D' you want to get pinked? They are n't foils with buttons, you'll remember."

The Boy thrust a shaped bronze hilt into his palm.

"I would n't give it to Ches. But you know a little about this sort of thing, don't you?"

Incidentally, the chief knew nearly as much about sword-play as he did about engineering.

"You cheeky young devil," he said. "If you're looking for trouble—"

His voice broke off as the Boy stripped away coat and collar, and stood up to him slimly, feeling for the balance of the weapon.

"I say, kid, better not. It—it might irritate that scratch of yours, you know."

The Boy slid his hand inside his loose shirt, and pulled at a bandage under the left arm-pit.

"Murray trussed me up a bit tight . . . oh, it's all right, thanks. More likely to irritate you. Will you shut up, Ches? I tell you the thing is healed—practically. Is n't it, Murray?"

"You look out that the chief does n't put another scratch alongside it," said Murray.

The chief's glance crossed his at that moment, with the Boy's laughing

face in between. And to Murray it was as though some one had shouted his own words at him . . . "I would use my own discretion, and men might call it murder if they would."

He half rose, then sat back in the corner.

"Get down to it, you two fire-eaters," he said.

"Wade in, then," cried the Boy gleefully. "I'll skip my speech and come to where I slap your cheek because you won't fight. Then you go for me on the hop . . . Oh, good enough . . ."

The Boy was quick and clever, and he had all the grace of easy movement. But the chief had held his life with his sword many times. Five watched only the Boy, with his quick-breathing young strength, and his unclouded eyes. But Murray watched the chief.

Back; feint and counter; a swift step to the side; the clang of steel once and again. The Boy's wrist-play was pretty; but the science of the elder man overmastered each trick and each daring attempt. Murray drew in his lips as he looked.

The Boy's sword jerked upwards, spun across the table, and ripped a hole in the seat of Creed's chair. It missed Creed by the eighth of a second as he fell out backwards over the arm. The chief lowered his point.

"I never did that," he said.

"No." The Boy was staring. "I'm blest! It was a—a sort of contraction of the muscles in some way. I say, Creed, old man, I'm awfully sorry. I—I could n't help it. By Jove, though; I thought there was a streak of red-hot lightning up my arm."

Ches sprang up with his hands out. In some way he strangled a cry. Then the five looked at Murray, and knew. It had come. Under Wallace the solid chair and the boat-bottom seemed to be sinking . . . crumbling out . . . Beyond the Boy's white upright figure he saw Murray fold his arms and lean back, crossing one foot over his knee. And this

was a silent sign to the watchers that there was no help for the Boy on earth.

The chief reached for the sword, and gave it back.

"Come along, youngster," he said. "You're not pumped yet. Try the lunging tack a bit more. It's uncommonly effective on the stage."

"Oh, I like that," said the Boy, recovering. "Give you the chance to get in under my guard, eh? All right. Off you go. Ah-h!"

The whole room saw the quick convulsion this time. But the Boy stepped back as Murray came to his feet.

"That's the way it begins, is n't it?" he said. "Supposing that arrow had been poisoned?"

"Way what begins? Can't you talk plain sense?"

"Tetanus," said the Boy.

He flung the word out roundly, and the chief muttered "Cheeky young devil" under his moustache.

To Murray's taught eye the stiffness was already setting about the soft jaw and neck-muscles.

"Did you never hear of hiccough of the nerves, you young ass? You overdid it a bit in that foolery on deck; that's all. If you've had enough——"

The chief spoke lightly. But Murray went away from his words and his face to the warm scented air blowing past the port-hole.

"Oh, my God!" he said in his heart. "Oh, my God!"

"Of course he has n't had enough," said the chief. "You've got to finish me off yet, kid, have n't you? Well hurry up. I'm on duty directly."

The Boy shook himself, and laughed.

"It was hauling Poddy round,

then, I suppose. I'll take it out of you to-night, Poddy. Well Dull hound—that's the way I've got to talk, you know—Dull hound, die!"

The light was fading in the ward-room. Reflection struck back from the curled waves upon the Boy's alert face and the chief's half-closed eyes and high drawn cheek-bones. The babble of little ripples sounded through the port-hole, and the jarring of steel sounded in the dusky room. Five men there were thinking of what the morrow must bring the Boy. Underneath Ches said over and many times over:

"Could n't it have been something easier? Oh, could n't it have been something easier—for him?"

On deck Archer was watching the track of gold that quivered to the rim of heaven, and dumb prayer was on his mouth. He had seen men die under tetanus before this day. And still Murray stared out over the sea, hearing the jar of steel behind him.

"Getting done?" said the Boy, cheekily. "That was an awfully—ah"

It was no more than a sigh; for the chief was a very clever swordsman, and he had been looking for the opening for so long. Ches caught the Boy as he pitched forward, and Murray's hands fumbled in hot blood where they tore the shirt open.

The Boy's head was on the chief's knee, and Murray looked into the stern face above the young one for one instant. And the flood of pity in his heart was not for the Boy.

Then he stooped lower.

"It's all right, now, dear old chap," he said, tenderly.

But the Boy had found that out for himself.



THE LIFE INSURANCE SITUATION

By GEORGE E. IDE



THE new Insurance Law of New York State has been in operation long enough to enable one to form some judgment of its effect upon the life insurance business. While it would probably be impracticable for this year's Legislature to consider any radical changes, yet it is to be hoped that the legislators will carefully study its working, in order that the law may be so amended later on as to accomplish the desired reforms upon sound lines, and with the least possible injury to the vested interests, which, owing their existence to the State, naturally look to it for protection.

In all legislation of so radical a character, the greatest difficulty arises from the lack of uniformity in the legislation of the various States, and the consequent injustice which is done to domestic companies by laws affecting them which cannot be made to cover the companies of other States. The New York companies have led in the intelligent development of the business, and the State can ill afford so to curtail their activities that they cannot compete successfully with rivals working under less drastic supervision—provided always that they are sufficiently restrained to prevent the recurrence of past abuses. This brings us to the vital question, whether mismanagement and extravagance can be effectually checked by law, and whether we are not now going too far in our tendency toward regarding legislative action as a panacea for economic ills—a question upon which there is the greatest possible divergence of opinion.

The subject of life insurance is an intricate one, and a close study of the applied science leads to the conviction that theory alone is not enough—that in practice many matters must be taken into account which to the theorist seem immaterial but to the practical underwriter are of vital importance. Consequently, legislative reforms cannot safely be based upon book knowledge alone, or the theories of so-called experts who have had no experience in applying their theories to successful practice. One error which has crept into almost all reform legislation on the subject of life insurance is the belief that what is good in theory for the science of life insurance in general must necessarily be good for each and every company; in other words, that if it can be proven that a certain principle is theoretically correct, it can be safely adopted as a universal law and made compulsory upon all companies.

The attempt closely to restrict the companies in the matter of surplus, making one law applicable to all, is a case in point. The advocates of this measure lose sight of the fact that a prudent manager who desires to protect the interest of his policyholders must be in a position freely to decide how large a surplus or contingent fund he should reserve for the requirements of his own company, basing this decision on his own knowledge of the stability of its business, its probable mortality, the character of its assets, and many other factors in the situation which he alone can know and estimate, and which are not like the conditions surrounding any other company, even of the same size as his own. This is one subject upon which directors and managers must be allowed absolutely free rein, if the

responsibility of success or failure is to rest with them. Close legislation in matters of this character can only tend to divide responsibility.

Take, also, the matter of administrative expense, which some States are endeavoring to restrict by law. No one but the directors of a company can know the problems which confront that company, and the necessities which may arise for securing officers and managers of great constructive, executive ability, to meet the questions which are pressing. Ability, wisdom and experience command their price, and any limit in salary or compensation is unwise, and dangerous to the policy-holders. It is the duty of the directors to settle this question; and, if they are to be held responsible for results, they must be free in their selection of men and unhampered in the matter of cost. A universal restrictive law is likely to lead to excessive payment to mediocre men in some cases, and the securing in other instances of incompetent men to solve great questions because sufficient remuneration cannot be offered. The only safeguard against extravagance in official salaries is complete publicity.

In no section of the present law has pure theory in life insurance been so aggressively applied as in the scheme which has been devised for the government of the companies by the policy-holders, and for stimulating in the minds of the policy-holders a more lively interest in the selection of their directors by a popular vote. The experience of the past in so-called "mutual" companies, extending in some instances over a period of sixty years, was waived aside; charter provisions which had worked well for the policy-holders in some mixed stock companies were cancelled without explanation; the unproven tenet that the "mutual" idea was the only safe one was accepted, and the law was passed.

Let us look, for a moment, at what one might term an ideal company, properly governed. The affairs of such a company should be under the

immediate control of a board of directors, who should hold frequent meetings. Throughout the investigation in this State, the legislative committee was apparently insistent upon the idea that directors should really direct, and that a position of such importance should not be merely honorary. Such an ideal board should be composed of men versed in the various departments of the company's work. There should be some members familiar with the insurance branch of the business; others should be well informed as to securities proper for investment; others still should be capable of selecting bond and mortgage loans; while a certain number ought to be qualified to pass upon general administrative questions. The work of such a board would have to be done through committees. These committees should be carefully selected and should meet at frequent intervals. Such a scheme of government necessitates the choosing of directors who reside or have places of business near the home office of the company. In the case of a New York company they must be New York men if they are to do their work intelligently and satisfactorily. In view of this necessity (which can hardly be controverted, unless the board of directors is to be merely an honorary body) we encounter at once the main reason why the policy-holders at large are necessarily unfitted to cast a direct vote for their directors. Scattered as they are over the entire United States, and in some companies over the entire world, the policy-holders cannot have an intelligent knowledge of the proper men to choose for such important positions. They could select representatives from their own locality, but directors so selected would not be able to fulfil their duties.

That some such choice would probably be made is clearly shown by last year's experience. The policy-holders' ticket in one of the larger companies contained only eleven New York City names out of thirty-six. If the policy-holder is to cast a direct

vote, to whom can he turn for knowledge as to candidates? Recent criticism, some of it coming from the framers of the law, would seem to indicate that it is highly improper for any one connected with the company to engage in an educational campaign in favor of the administration ticket. The opposition, however, through the press and other channels, is allowed free rein in its attempt to create unrest and dissatisfaction. Have the framers of this law ever stopped to contemplate what an opportunity is here given for attack by unscrupulous parties with ulterior motives? The delay in counting the ballots received under the present system and the consequent serious damage to the company's interests, are obvious objections to any plan where so many methods of voting are allowed. Possibly some form of indirect voting through an electoral college might render the mutual plan of government more nearly feasible, but this suggestion did not meet the approval of the legislative committee. It is well, at least, to bear in mind that it has not yet been proven that in practical operation the "mutual" plan of government is either safe or reliable.

One of the most drastic sections of the new law is that entitled "Limitation of Expense." The reckless extravagance of the companies in the mad race for business rendered necessary the curtailing of their expenses, and the result is a statute which not only limits the total expenditures of each company, but also prescribes how much may be spent in the procuring of new business. The idea is a good one, but in its operation many difficulties are encountered. The law is so framed that every agent or solicitor having the company's premium rate before him, and knowing how much must be expended for medical examinations and inspections, can figure out exactly the maximum first commission which the company can pay, and under the ordinary laws of trade is not satisfied until the company has agreed to give him that maximum. No account can be taken of the

different value of similar service by different men, the varying difficulty of securing business in different sections, and the greater worth to the company of the carefully selected business of a conscientious agent as compared with that of one of less conservative character. At present every man with whom a manager endeavors to make a contract knows what the company can pay, and demands the full commission as his right. The metropolitan agent, with his large corps of solicitors and expensive organization, who produces a large volume of selected business, and the rural solicitor who sends in an occasional "risk," are on the same plane. The law has gone too far. Limitation of expense is necessary—insurance men all admit it; but when it has been decided what that total limitation shall be, it should be left to the managers to determine how the money shall be spent; and publicity should be compulsory as to how the funds are used.

This provision of the new law is opposed to the fundamental principle that the conditions existing in each company are different from those of every other company, and that the managers and directors alone can determine the best channel of expenditure to produce the greatest good to the policy-holder. The object of this close legislation was to prevent extravagance in securing new business; the legislators lost sight of the fact that the value of new business is dependent upon the needs and requirements of each company, and that what might be an excessive price for one would be a reasonable price for another to pay for the same amount of business. Much of the business of the companies is secured through solicitors who work under agents and have no direct contract with the company. These agents are not technically limited as to what they may pay to the solicitor; and if it seems wise to them to forestall some of their renewal commissions, and pay a high "brokerage" to the solicitor, we see the anomaly under the new law of an agent being able to pay the solicitor a

greater first commission than the law allows the company to pay. If first commissions are to be rigidly regulated, the law should be so modified as to cover the amount received by the solicitor. This would prevent the high brokerages which are now being offered by the representatives of some companies, which lead to demoralization in the business and the same evils of "twisting" and "rebating" which have prevailed in the past. A limitation in total expense, together with absolute publicity as to the method of expenditure, would provide all the check needed at the present time.

In figuring the item of total expense under any law of limitation, the companies should be allowed to deduct items over which the management can have no control—legal expense incurred in defending suits, taxes, expenses of State examinations, etc. The item of taxes alone is a serious matter, increasing as it does from year to year. In 1905 the life companies doing business in New York State paid out for taxes \$7,500,000.

Following the above suggestion, we come to the new form of annual report now demanded by this State. The general result of any year's work is supposed to be shown by the "Gain and Loss Exhibit" as contained in the new blanks. This exhibit has 125 different items, giving in the greatest detail the transactions of the company during the preceding year. These results, as shown by this exhibit, cannot be known to the public until several months after the date of the report, as they appear only in the printed reports of the Insurance Commissioner. Even then, the exhibit is so complicated and technical that it is useful only to an expert, and the result of the year's operations can be determined only by a careful analysis. Publicity, to avail, must be prompt and simple. It would be much better, in my opinion, to do away with many of the questions in the present blank, which call for an immense amount of labor, and to

require that, early in each year, not later than March 1st, each company shall publish in the newspapers a statement of its business for the preceding year, following a prescribed form to be provided by law. This statement, to be of real value, should show the receipts and disbursements in some detail, the amount of new business secured, the cost of securing it, the amount of insurance in force at the beginning and end of the year, the renewal premium income, etc., so that almost at a glance the public could see whether or not the company was making substantial progress. (At present, the annually advertised statements of the companies, not being governed by law, contain only those items which redound to the credit of the management.) It might be well, also, to require that a further and more complete report should be mailed to every policy-holder; the cost of this distribution would be money well expended in his behalf. Such a statement should show the disbursements in considerable detail, so that the policy-holder might know just how his money had been expended.

The limitations in the matter of investments, the adoption of "standard policies," the requirement of the present law that a mutual company shall write either non-participating or participating business, but not both, are restrictions of doubtful value, and are inimical to the interests of the New York companies, as they place them at a serious disadvantage in competition with companies of other States.

As the investigation of the New York companies was not finished till December 31st, 1905, and the new law was rather hastily prepared and passed during the 1906 session of the Legislature, it is remarkable that its general provisions should be so excellent as we find them. The above criticisms are made in the hope that, carrying out the general intent of the statute, it may in time be so modified as to work less injustice to the New York companies as compared with

companies of other States, and be so amended as to allow to the managers of the various companies somewhat greater latitude in carrying out the plans of development which, from their intimate knowledge of their

own institutions, they feel to be necessary. The general tendency of legislation should, in my opinion, be less toward rigid restriction and more toward compulsory, intelligible publicity.

THE COUNTESS OF PICPUS*

A ROMANCE

By MAURICE HEWLETT

VI

THE GREAT LEVY



THE window, to call it so, of the prison in which our captain lay three weeks looked upon the elegant belfry of Saint Godoi, church of that pious hero who was first a slave, then a Christian, then an archbishop, and then all three at once, until martyrdom was added as a perfect distinction from all other slaves, Christians and archbishops; and upon this belfry in the early day of his incarceration a couple of pigeons had set up their nest, and used to delight him with their innocent demonstrations of affection. Occasionally they harrowed his feelings, for he could not but remember—"Thus, ah, God, I might have kissed the neck of the lovely Madame de Picpus!" or "Thus, in my courtly fashion, I might have swelled before my countess, thus bowed and curvetted before her, and thus—aha!" A spasm of baffled hope would interrupt him here, and turn him to other relaxations of his hard leisure—such as the taming of a mouse, study of the architecture of Saint Godoi's belfry, or attacks upon the virtue of the gaoler's daughter; a personable Tolo-san who brought him bread and water twice a day. But she gave him to understand that she could

not abide a hairy man, since her affections were unalterably set upon a canon of the cathedral who, for reasons of art, was not really a man at all. He had no notion of the state of her feelings, she said; but that made no difference. Where the treasure is there will the heart be, and she had rather listen to his blackbird notes in choir and think with unencumbered mind upon his smooth person than be the promised bride of Cyrus, King of Persia or two Roman emperors. So piteous a tale of true love unrequited touched Captain Brazenhead's heart, and he took a vow of celibacy and kept it until he was released from prison, when—but I anticipate.

Severe scrutiny was cast upon him when two of the consuls of Toulouse, with scribes and men-at-arms, visited his cell—but no direct accusation was brought against him, and there was no talk of a trial. High crimes and misdemeanors were hinted at. It was said that he had refused to enter a church; and men had been burned for less than that. He had attacked six citizens and wounded four of them; he had publicly cursed the city of Toulouse. All this—the paucity of such charges—was very encouraging, and disposed Captain Brazenhead to be eloquent. It was plain that they knew nothing of Pym, of the Bishop of Agde, and his necessities; it was plain, in short, that one could do no harm and might do much good by copious lying. When you are in a strait, the Captain was

fond of saying, it is far better to be eloquent than terse. For if you tell your adversary many things, mixing the true with the false, he is certain to believe you a liar and to doubt most of what you tell him. If among the many things he disbelieves the truth is not included, then you are a bungler, and deserve what you get. Captain Brazenhead was, therefore, eloquent. If the consuls had been Moses and Aaron and Captain Brazenhead a rock in Canaan; if their charges against him had been the staff with which they struck him, and his speech the miraculous result—then all that can be said is, the children of Israel had been drowned. He soused them with periods; they cast up their hands from his words like foundering men. One scribe wore his pen down to the feathers, and the other drank the ink, as if he would write with his fingers. The last phrase actually written down was, "Oh, perverse and malignant generation of the latter days of the once indyte and hierophantic city of Toulouse, where I, descended from the Emperors of Byzantium, like another Prometheus, give fire to men and perish at the entrails—" and the reason why the sentence was never finished was that the consuls were running about the room calling for help, and that the scribe who had drunk the ink was ill. Among other facts insisted upon by Captain Brazenhead three stand out as particularly significant. 1, That he was seventh child of a seventh child, born in the seventh month; 2, that he was Count of Picpus in Savoy; and 3, that for two cocks of the eye he would have the life of every man in the room with a bootjack. The first and third of these propositions they could not, for obvious reasons, dispute; but the second contained highly contentious matter, and would certainly have been doubted had there been time. It was not until the prisoner's torrent had ceased to flow, and the consuls had bowed themselves out and collected their wits at the foot of the stairs, that they remembered the

only thing they had found opportunity to say in departing, which was that he should hear further from them. And their difficulties were to decide whether he should hear from them, whether he would, and whether, if he should or would, he would have anything left to reply. These grave questions were still in debate when events took the very surprising turn which it is now my duty to relate.

Captain Brazenhead, after sleeping off the fatigues of so much language, observed and was delighted to observe from his window the next morning that the pigeons were about to harvest their amorous husbandry; that, in other words, they were about to become parents. A nest was in making, simple in construction but of entire efficacy. The hen bird, with head nestled into crop, and no feet to be seen, crouched fluffily within a coign of the masonry; by her side her mate stood erect, a straw in his beak. The nest was thus symbolized, and all was well; but whether two eggs were laid instead of one and he was stimulated to new efforts, or whether he dropped the straw and had to seek another, I know not. The facts are that he presently flew down, was absent for some little time, and that when he returned he bore in his beak the stalk, and upheld by that the drooping head, of a clove carnation. Captain Brazenhead in his narrow cell gave a great cry, and then stood very still, while his heart beat like the hopper of a mill, and a tear furrowed each warworn cheek and fertilized the roots of each moustachio. "Lo, now I know that my star rides clear of clouds, high in heaven. Venus, goddess of the heart, I thank thee! Netted Mars, receive the praises of thy doting imp!" He sat with folded arms upon his bed awaiting his release; and the gaoler's daughter might ogle him till midnight in vain.

It is to be believed that the Captain, meditating profoundly upon Destiny, never shifted his posture all night; the fact is that he was found bold upright upon his bed when the

gaoler's daughter came into his cell at six o'clock in the morning with a jug of sour wine and crust of stale bread. His mouse, which had been taught punctuality at meals, was upon the forefinger of his left hand in an erect posture indicative of suspense and supplication. Suspense was also indicated by the Captain's posture, but not supplication by any means.

"A fair day to you, sir," said the damsel.

"You make all days fair, lady," he replied, "yet I tell you that this day is the fairest that ever I saw." She looked very wise.

"You little know what 's astir in our town, that 's very plain," said she, "or you would not prophesy at random. Fair indeed! The tale runs that you are to be burned to-day as a scandalous liver; and however I trusted myself in your company after hearing such a character to you, I shall never understand. Why, you might take advantage of me at any moment—and no doubt but you will if I do not fortify myself with all my virtue."

Captain Brazenhead listened to this provocative speech with attention; but most of his attention seemed directed to his mouse.

"You must n't tell me," he said presently, "that omens are nothing, because I know better. I remember very well dreaming once upon a time that a man walked down a green meadow with a flaming brand in his hand, and wherever he dropped fire snakes followed after him. 'This is the day—this is the day—this is the day,' he called out, thus, three times; and I awoke and went about my business: and that day Jack Pounce drove me in the guts with the handle of a broom, and I slew him—or as good as slew him. So now you may see, my dear."

The gaoler's daughter looked serious. "Alas!" she said, "I see that I am nothing to you, sir."

"That 's my belief," said Captain Brazenhead, feeding his mouse with breadcrumbs.

Nothing occurred to justify the prisoner's confidence until a quarter before eleven in the forenoon of that day; but then he was justified. Steps resounded up the stairs, the steps of many, steel-shod; his door was struck three times. "This is the day," said Captain Brazenhead in a shocked whisper; and then, clearing his throat, he cried them in. Bolts, locks and bars creaked his release. Two consuls, a herald and a stranger in steel stood in the entry. The consuls bowed, the herald stepped forward.

"Count of Picpus—" he opened; Captain Brazenhead stood up and folded his arms over an inflated chest.

"He is before you."

"From the puissant and excellent lord the Viscount of Turenne—these letters," said the herald, and handed out a sealed writ.

Now Captain Brazenhead could not read, had never been able to master that branch of science. He waved his hand twice before his face.

"Let me hear your letters," he said, refolded his arms and frowned upon the herald—who read:

"Count of Picpus, I direct you by the faith and allegiance which you owe to me as a vassal to repair instantly to the domain of Les Baux in the County of Provence, there to resume possession in my name and title of the Castle and good town, denying all access thereto to the Lady Sanchia Des-Baux, until such time as I shall appear before it and demand an account of you. And for so doing let this be your sufficient warrant, as witness my hand

"Le Vicomte de Turenne."

This ended, folded and put into Captain Brazenhead's hands, the two consuls bowed to him, and to each other; and Captain Brazenhead said: "It is well. I am ready. Lead on."

He knew the Viscount of Turenne excellently by reputation, as all Aquitaine knew him too well. *Flail of Provence* he was called, and relished the title. A greater man than the

King of Aragon, as good a man as the King of France, south of the Loire, and not much inferior to the Duke of Burgundy himself, he was yet a simple land-pirate, but the most famous ever known in Gaul. Captain Brazenhead had not suspected his finger to be in the sauce when Pym revealed what he chose; there was no doubt that a different tinge was cast over the Bishop's affair by the fact; and there was no doubt that Captain Brazenhead, expanding in the full sun at the door of his prison, felt himself uplifted. "And where," said he to the obsequious herald, "is my good friend the Viscount to be found? Where are his knees between which these two hands have so often been folded? Where is his ringed right hand which these lips have so properly kissed that in the old days he was more than once suspected of a chilblain?"

It was explained to him that the Viscount was by no means in these parts, but believed to be at Macon where he had a Castle and held his court. Details had been left to his lordship of Picpus, who would find a sufficient force in the garrison, and an escort in this city of Toulouse. Captain Brazenhead rubbed his chin.

"More than escort is needful to a man of my quality, herald—much more than escort. Overpowered by some fifty villains of this place, I was robbed, ravished, undone. For three weeks I have lived upon rye bread and stale water. I require to dine, to be clothed, armed, sworded, harnessed, accoutred, put in fettle, taught my value in the world. You will find me an apt pupil, quick, retentive, avid of learning. Begin then, begin. I require good money, and much of it."

The herald was chapfallen. "Alas, dear sir, that is the one article which is lacking in the equipment I am able to offer to your lordship. Money! Ah, that is a branch of learning somewhat neglected in our country. We are paid, or pay ourselves, in kind. We call it levying a contribution."

"It matters not what you call it,

one snap of the fingers," said Captain Brazenhead. "The point is whether you get what you levy."

"Sir, we mostly do," said the herald, "though our company is called the *Tard-venu*."

"Late-come is often best served," said the Captain. "Prove me your words. Levy me a larded capon stuffed with black beans in half an hour from now. Levy me a quart of red wine, a manchet of bread and some garlic—and I shall believe you."

"You shall be gratified, my lord," said the herald. "At The Pheasant in half an hour."

"I shall be there," said the Count of Picpus, spreading himself in the sun.

He levied the services of a barber—and needed them, for his beard was prodigious. In the barber's shop he found a young gallant with a sword three sizes too big for him, and with the aid of a razor or two he levied that. The young man made a great outcry, and was for summoning the Town Guard—so there was nothing for it but to levy the young man. Captain Brazenhead bound him to the service of the Flail of Provence by the promise of a duchy, and a pension, and the threat of instant chastisement upon a sensitive part—and that in the Place Saint-Symphorien at ten o'clock in the morning—if he refused. An oath was delivered and received, which, as it is rather blasphemous, though terrible, I omit.

Then Captain Brazenhead dined at The Pheasant so sumptuously and well that he made one of the greatest levies of his life. I mean when he appeared before the consuls of Toulouse in full conclave and levied ten thousand crowns as indemnity for the affront put upon the person of the Viscount of Turenne's old ally Barthélémé de Picpus, Count of Picpus in Dauphiné. He did this single-handed—save for the assistance of his herald, who had been instructed to blow three blasts on his trumpet whenever he saw his master pause for a word. The long sword levied from the young man in the barber's

shop was of great assistance: it looked at its best naked; but the greatest ally he had was his profound experience of men. Upon this he drew, or, rather, built until he himself was astonished at the edifice he reared, and steadied himself with a "Gently does it—go not too far, Brazenhead, my ancient." The caution was timely. To pluck the Emperor of the East by the beard, to kiss his daughter under an apple tree, to humiliate profoundly his eldest son—these are pleasant and creditable facts; but when it comes to excommunicating the Pope in his own basilica or twisting the Duke of Burgundy round your finger, or cutting the consuls of Toulouse in pieces in each other's presence—difficulties arise which can only be solved one way, that is, by performing the prodigies you boast of.

But, after all, the money is the great thing; and Captain Brazenhead got that—had it brought in, in leather sacks, from the treasury, counted in his presence and bestowed at his headquarters, before the sun went down upon his wrath. With some of the ransom he gave a great feast to the civic authorities, with other some he made the fountains of the city run white wine and red, lighted a bonfire in the Field of Arms; he bought a banner with his arms, he repaired his wardrobe and provided a horse; and then upon a certain day in June he set forth for his affair at the head of an escort of five and thirty scoundrels, all young, all greedy, and all liars.

VII

THE YOUNG MAN BAREFOOT

THE greatest liar then in France, if not in all Christendom, was, no doubt, Captain Brazenhead himself; but he had occasion to distrust his distinction when he fell in with Tristan Paulet.

The manner of his meeting and the matter of his discourse were alike romantic and extraordinary; and ro-

mance was a particular foible of our captain's. There are some whose roving eye is only to be arrested by distortion, and he was one. If a lady should be partially undressed when she ought to be dressed, clean when she might have been dirty, dirty when cleanliness were the proper; if a young man distracted should refuse to trim his nails, hair or behavior, should decide to wear no stockings or three hats; if on a lonely heath he should come upon a damsel wounded in the side, or see two lovers with bleeding lips kissing in the snow—Captain Brazenhead's heart beat high, and he was the utter servant of any such person or pair of persons before they had time or need to invoke his chivalry. There were many like him, and have been many since. If sin were not a distortion vice would not be so exceedingly romantic, and folks would sin no more. Broadly speaking, every sinner is a poet—but I have no wish to enter upon a discussion.

Captain Brazenhead led his devoted band, as his ardent imagination led him instantly to believe it, by devious ways to the east, since he wished, very reasonably, to avoid Agde and the country round about it. He even went so far north as Albi by the valley of the Tarn, continued northeast to Saint-Affrique, crossed the stony hills thereabouts, reached Le Vigan, and thence had the full intention of descending into the plain by Quissac, of fording the Vidourle at Sommières and of reaching Arles without adventuring the hospitalities of Nîmes: but at a little town called Ganges he varied his plans, for there he met the Young Man Barefoot.

He had tempered in his course justice—or, let me say, hunger—with mercy, had put no man to the sword, had spared the fatherless and widows, and had levied his needs only from the exorbitantly well-to-do. He had threatened to hang the Abbot of Saint-Beauzely, but as he said himself, there's precisely a rope's difference between doing and promising;

and the Abbot, who was homing from a round of his granges, could well afford it. It was the discovery that he could have afforded very much more, which annoyed Captain Brazenhead—or the Count of Picpus, as he must now be called—and caused him to be truculent in his first dealings with the Young Man Barefoot, when he saw him in a leafy gorge, sitting upon a rock with his bare feet in a pool, his bare head crowned with a chaplet of faded roses, a lute on his knee and a wallet by his side, which the Count erroneously supposed to hold money.

The young man, who was of pleasing shape and feature—elegant, fair and perfectly beardless—like a true son of the county had not the slightest concern who overheard him at his elegiacs or who might see his disordered dress. It was sufficient for him that his doings were a solace; and that ought, he would have said, to be sufficient for all but the idle impertinent. He was singing at the top of his voice some bitter-sweet *lai* of Provence; every now and again he paused and plucked a chord out of his rote, and the consonance thus evoked seemed to inspire him; for almost at once he began another stanza—evidently not meditated before—and never faltered either in the rhymes, which were complicated, or in the diction, which was florid, but rounded off his stave with what seemed to his fancy a perfect line—

"Ah, God, I part from Sanchia!"

—struck another chord, and began anew the chase for rhymes. When the hunt was fairly up, trust him to find them. This saved his life.

The Count of Picpus had halted his men at the head of the gorge, and himself had taken in hand the dealing with this singular young man. Soft-footed, very like a cat, he had crept among the rocks and bushes about which the water tumbled and swirled, until now, hidden in cistus bushes, his drawn sword shuddering in his hand, he was immediately behind his intended victim. He had been contraried by learning of the deceit of the Abbot of Saint-Beauzely,

whereby he had taken silver when he might have had gold, and was determined that blood must flow. "He shall finish the verse," he said to himself, "and then he shall be cleft to the navel, by Cock." All unconscious, an innocent Scheherazade, the young man plucked another chord, and opened a new vista of rhymes in *anchia*. "Proud king of Babylon!" said our hero, "is it possible that he is again working towards his parting with Sanchia? He'll never do it." But he did, and the Captain waited for him. Once more, and yet once more he sprang into the saddle, and gave the rein to his Pegasus: once more and yet once more he parted perfectly from Sanchia. At the end of the third bout his meditating slayer could not restrain himself, but cast aside his sword, uttering a great cry, and, throwing himself beside the astonished young man, embraced him warmly and went so far as to kiss him.

The singer gently released himself. "You flatter me, sir, I fancy," he said, "but I must beg you—in consequence of a vow I have made—to let me alone with my misery."

"And what is your vow, what is your misery, O Wonder of our Age?" cried the Count of Picpus, with a grim but friendly hand on his shoulder. "I tell you, gentleman, I have travelled far and heard good poetry. I have been in Italy; and if I never heard Dan Petrarch, I have wept at his grave. Singers I have heard at Avignon, by no means proper men, but the sweeter-piped for that, and singers in Byzantium—large-eyed, and full-throated women, all at the disposition of the Emperor of those parts. They rhymed, or they did not, as suited their fancy, and nobody cared; but never, since Christ was king, was there rhyming like yours. Will you tell me, for example—I am myself a poet, thinking it not robbery of my countship—how many rhymes you conceive there to be to?—Sanchia! . . ."

A surprising change came over his lordship's face, which was as if the

sun, though shining still, had suddenly turned cruel-cold. All was now hard that had been temperately genial; all was accentuated which had been merely a pleasant mottling. Deep furrows revealed themselves between his eyebrows, deep scars on either side of his moustachios, which climbed and tossed up their tendrils beyond them like bryony over a crevice in the rocks. His eyes grew very light, and the pupils of them focussed down to pin-points of intense black. *Sanchia!* A grim surmise. He spoke in a whisper.

"Is it possible—is it then possible—that your berhymed Sanchia is the Lady Sanchia des-Baux, upon whose affairs I . . . ?"

The young man colored, but stiffened nevertheless at the neck.

"It is not only possible, it is certainly the case," he said. "But why do you ask?"

"I always ask a man for the facts before I slay him," said the Count of Picpus, and bared his right arm to the elbow. The young man regarded his feet in the water.

"It would be far more to my purpose if you were to cut my feet off instead of my head—which I presume is your usual practice," he said. "Of what good are feet to me when every function of theirs is to take me further from Sanchia? Whereas with my head I could sigh, weep, make verses, divert myself and—as it seems—my persecutors, and do no harm to anybody. But upon the general principle I should wish to know how you can conceive an enmity for a man who is *leaving* a lady? Had I been meeting her I could have understood it."

"You may have undone her," said the Count, biting his moustachios.

"That," said the young poet in reply, "would have been against the rules of my profession, and very unbecoming in me who have been a retainer in her guardian's castle. I doubt too whether she—but a truce to such considerations. Have I not told you that we have parted?"

"And I," said Captain Brazenhead,

"am here to tell you that you are about to part forever—by means of this blade."

"Our love," said the young man, "was madness, brief and glorious as it was mad. We met, we looked at each other, we trembled and were mute in each other's presence; we were alone by chance, we drew together, we touched, we fell a-kissing. And then the floodgates of the tongue were loosed and all Heaven might have wondered at the praises we had for one another. They were praises such as in those courts are reserved for the Highest; yet they were all too weak to satisfy us. I became as one upon whose lips has lit the live coal spoken of by the Prophet. Never was such poetry as mine for the most glorious, regal, little lady that ever touched this earth with her foot, pausing upon her flight to the skies—and liked it not, and sighed and soared upward. This continued for I know not how long—can a man cipher when he is in love, and beloved?—Out upon your calculations! We met before dawn, in the breathless noons, after dark—our hearts could not beat apart—we lay, I suppose, panting for mere breath until we were together. I forbear to tell you of our bliss—"

"Not in the least," said his intending slayer. "You have a pleasant touch upon pleasant things. I too have been in bliss—" and here he sighed and bit his nails.

"We became over-bold—our need was so imperious that we could not help ourselves. We were summoned before the court of the Green Wood upon an indictment for Excessive Comfort in Gallantry. It was said that, since the greatest glory of the lover is to suffer for his lady, I was clearly a defaulter, since I suffered nothing, but was as happy as a king or a shepherd. I defended myself—I think—strenuously and well; but the court's mind was made up and I was not allowed to finish. I was cast in damages: I was to serve another lady for three weeks, while my royal Sanchia was to choose another

lover. I was contumacious. I refused to bow to the court's ruling. And so I was banished with all the formalities usual in such cases. Suffer! I have suffered now as damned men suffer. Heat, cold, a gnawed liver, a broken heart, a brain on fire—oh, soldier, and you propose to slay me! Why, do you not know that by such an act you would waft me into paradise? For say that you shoved me into hell's deeps, by so doing you would be ridding me of ineffable tortures in which I writhe now." You would have said that the speakers had changed places, had you seen them. The young man was in command, the poet led the talk. The man of blood wondered at him, his sword lifeless in his hand. Having conquered his emotion, by apparently swallowing it, the broken lover proceeded.

"The laws of Provence," he said, "vague and indeterminate as they are in most of the regards of life, are extremely precise upon all that concerns the tenderer relations of the sexes. Here, I may say, the law has been digested. There is no act or motion, overt or implied, from a sigh at even time to a kiss, from a clasp of the hand to a clipping of the loved body, for which due provision has not been made. You may imagine therefore that such a tremendous doom as that of ours was executed to the utmost punctilio. I was to go to the University of Toulouse to study jurisprudence; and she—the lovely, royal Sanchia—must accompany me a full half of the way. Those more fortunate lovers who remained in the good court of King René—for our tragedy had been enacted there, on the orchard terraces, under the shaded colonnades of Aix-in-Provence—were to be our escort. Our brows were bound with myrtle, and our necks linked—poor prisoners! with chains of anemones; we were set in the midst of the bevy upon white mules caparisoned in red; and whenever one of us leaned aside to kiss the other, one of the company sang a *lai*. Owing to this laudable

custom it fell out that between Aix and Beaucaire where we were to be torn apart, each member of the company had sung some five times."

"And was the company a large one?" the Captain asked him.

"It was large," said the young man; "nearly a hundred pairs of lovers must have been there."

"Then," said Captain Brazenhead, after a rapid calculation on his fingers, "you kissed Dame Sanchia a thousand times."

"That is exactly true, sir," he replied. "I should have kissed her more freely, if there had been time; but the intervals were fully occupied."

"Mort-de-Dieu! by listening to the *lais*?"

"No, sir, for you can listen to poetry and kiss at the same time. They were occupied by her kissing of me."

"I admire!" said the Captain. "I had thought myself a good blade. But you are my equal. Continue."

"Alas, sir," said the young man, with tears gathering fast in his eyes, "what am I to tell you now? Hard by Beaucaire, where the final separation must take place—a ceremony which promised to be of the most heart-piercing you can conceive of—our gay company of lovers was confronted by the bristling menace of war—a troop of grim ruffians, going, as it seemed, to the Fair of Nîmes, but as apt at murder as at tumbling, called us a halt. They were numerous, but so were we: they were desperate for plunder, armed with bills, scythes, sickles, clubs and other tools of sharp death—while our arms, to call them so, were lutes and viols. One, the ringleader, sat squarely upon a horse and called us to halt. I should add that a woman of the horde, one of many drabs with them, but the comeliest, though unshod and wounded dreadfully in the feet, led a bear, which, prodded with a staff, set up a dismal roaring, and added no little to our dismay."

"Your dismay," said the Captain, "is paltry to me. Proceed with the material parts of your tale."

"Our dismay," rejoined the youth, "was most material to us; but, however: Our names and conditions were required of us; and when it was reported to the chief of these cut-throats that the Lady Sanchia Des-Baux was of our party—and easily the chief of it (for all that a king's daughter was there, one of her honorable women, in the Psalmist's phrase)—bills were levelled, bows drawn taut, slaughter whistled down the wind; half the virgins and all the poets of Provence had been dismembered or worse, had not my lovely Sanchia—oh, Mother of God, the pious act!—delivered herself as a hostage to the chief of these pirates. I saw her turn her mule to face with his great horse; I saw him lay hand upon the rein; I cried, I raised my hands to heaven, I fell in a swoon. More I know not save that if I do not weep tears of blood it is because the well of my blood is frozen hard, and I suffer from a congestion."

"And who, by Cock, was this pirate who dared lay hands upon Lady Sanchia Des-Baux, with whom I only have to deal?" Captain Brazenhead was now very stern.

"He was an unwashed vagabond, I assure you, for all that he averred himself to be the Count of Picpus," said his young friend.

The Captain's eyes protruded like a rabbit's.

"Hein? The Count of Pic—?"

"—pus," said the young man. "A pale and circumspect nobleman—if indeed a nobleman—narrow-faced, with straight hair, tawdry in accoutrements, on a tall though meagre Flemish stallion. A bâton in his right hand, a notched sword without scabbard at his thigh. He wore a spur; and by his side there walked that fair woman I told you of, who led the bear, and was unshod. She had a red flower in her mouth. A buxom woman, with a shape—"

"Ha!" cried Captain Brazenhead with a sound like the shock of water on a cliff, "Ha!" and his lower jaw fell sideways, and his head seemed to fall after it. He remained staring

and mumbling for a space of time; and then stared upwards, as if he would rend the blue veil of heaven.

"A narrow-faced, pale, lank-haired rogue—a-horseback, on a Flemish horse! Beside him a fair woman with a taking shape, ha! Oh, damned villain! Oh, traitor! And she to walk, and lead a bear, and he to ride—a red flower in her mouth, ha! Madame de Picpus, Nicole la-Grace-de-Dieu, by God's Son! And Simon the singing man, by Cock and his father!" He was livid in the face, his eyes all white. He shut his mouth with a snap, and swallowed a meat-fly. Then, after a moment of very natural—if bitter—reflection, he lifted his hand, pointed his forefinger and fixed the Young Man Barefoot with his humid eyes, while he thus addressed him:

VIII

BRAZENHEAD LOG.

"I AM the true Count of Picpus, descended from a hundred kings, that deeply-wronged man who addresses thee now, boy, and swears to thee by the souls of the Count and Countess my father and mother, and by those of all the kings my ancestors, that by no means blood alone can avenge the offenses put upon me by a shaveling out of a choir. Him I have nurtured as at a breast, and taught the art of war; him I have dressed and undressed, admitted to my familiarity and secret designs; I have saved him from divers dangers—as when he was like to be a thief; I have chastened him and removed temptation from his eyes; and when I found him strapped and gagged on a shelf, whose but these hands untied him, set him upon a horse, and made him body-servant to the proudest pair in France? And now, O listening Heaven, that he should steal away both name and mate!" He lifted his hands. "O Countess! O Nicole la-Grace-de-Dieu! Partner of my throne, sweet my bedfellow, loveliest,

tenderest, wisest of the fair daughters of France, where and whose art thou? Out of what garden-ground hast thou thy emblem? Who put it, blushing for pride, between thy lips? What is thy condition—poor barefoot lamb, that shouldst ride, spurning, over the necks of such as this Muschamp? Heart of mine, hath he undone thee? Sweet child, hath he made a woman of thee? Gray villain, bleak-faced fox, thou shalt smart for this! Ah, maw-worm, ah, louse upon the Muse's locks——"

"I gather, sir, from your distress," said the young man, "that some pirate has debauched your lady."

"That is the truth of it," said the Captain. "What next?" Once checked in his eloquence he was usually attentive.

"Why, sir," said the young man, "I am reminded of an Italian saw which it may comfort you to rehearse. It says,

*"Bocca baciata non perde ventura;
Anzi rinnuova come fa la luna."*

"I know it," said the Captain, "and thank you for it. It says that there's kissing yet in a kissed mouth—and goes further and deeper. By Cock, and I agree with the Italian; but the devil is, how am I to put that to the proof?"

"We must find your lady, my lord."

"Assuredly. And yours, dear sir. They are now together."

"Ah," said the young man, "my case is worse than yours, as you can see."

"I'll be shortly damned if I can," quoth the Count of Picpus.

"You have reminiscences, you have experiences——"

"We all have," said the Count.

"Mine," replied his friend, "are not worth talking of. What! A kiss or two in the dark, or behind a hedgerow. A touch of the hand under a cloak! Pooh, my lord—look at yours, rather."

The Count dreamed, and as he dreamed his chest swelled, and he swept his moustachios upwards, mak-

ing fierce attacks upon their strength. "She had a taking shape," he said tenderly—"I saw it in a moment, as she handled the mop. She was bound to be mine." He ruminated for a little, then started to his feet and glared up and down the ravine. "Come!" he said, "let us find our wives."

"Our wives, my lord!" cried the young man.

"You shall have your Sanchia, I tell you," said the Count of Picpus. "Your news of this day is worth a hundred Sanchias. Besides, she is mine to give you, as I will tell you upon the road. Come, shall I sing you a song? I too am a poet, not unremarkable in a host."

As he sat there easily on the rock, roaring his piece, he made a fine figure in the sun—a figure from which the golden head and slim shape of the Young Man Barefoot couched at his feet, by no means detracted. His head was erect, one elbow crooked so that the hand might grasp at his hip; with the other extended, he see-sawed the air to the cadences he uttered. A keen light shone in his eyes and his strong face glowed and shone. He was not ridiculous because he was uplifted and furiously in earnest. He was triumpantly lover and poet; the wings of his spirit brushed the sublime. And thus he sang or bellowed:

"Ye nymphs and swains of Venus' grove,
Ye vagabonds of love—

Oh, may the myrtle and the may,
The spurge, the laurel, rose and bay
Your right ascendance prove!"

The young man's feats with rhymes in *anchia* undid the Captain, who plunged on thus:

"Oh, Love above!
Oh, Death beneath!
Oh, balmy Dove!
Oh poisonous breath!
By song to prove
The matter of
My heart's—

"Accursed Death, thou hast undone me!" he said, and bit his nails.

There had been enough of this

sort to cause the listener considerable disturbance—so much so that the singer perceived it, and said with some abruptness:

"That is the poet I am. You may take it or leave it."

"Sir," said the Young Man, after a pause, "you put me to some embarrassment. If I take it I play traitor to my art; if I leave it I break my parole."

Captain the Count of Picpus said that he hoped not.

"But you do, sir, you do indeed," replied Tristan Paulet. "Your poetry—if I must speak plainly—seems to me of extreme badness. Indeed, I don't suppose that there can be in the whole world a worse poet than yourself—unless it be in Aix, where I had to endure many ignoble rivalries."

"I fancy that you are near the mark, my young gentleman," said his lordship. "I cannot myself believe that there is a worse. And mind you, that's a distinction. There is nothing mean for me. I am forever *in extremis*—the best if I can; if not, then the worst. But let us be going; if I am a bad poet I am a worse enemy, as the Singing-Man shall find. Oh, dog and dog's son—my wife and my county chained to his wrist—and he as happy as the fleas in your bed!" His moustachios bristled like teazles' heads. He rose and blew a blast upon his horn which caused blood to flow at the ears of the Young Man Barefoot.

"My rascaille will hear and obey, you will find," said he. "They know that signal." The Young Man surmised that they would know it in Paris.

IX

THE GREAT RECOVERY

THE Count-Captain moved his men onwards in open order, in the direction which he supposed the traitor Simon to have taken, which must needs be due south; for, plunder, being his sole ob-

ject, it followed as the night the day that he was going to sell Lady Sanchia to the Bishop of Agde if he could, or to the Viscount of Turenne, if he could not. But he judged that he would first try the Bishop, being a singing-man, used to dealing with prelates.

And he had judged well. They had not crossed two ridges of hills before upon the third he spied the caravan, and gave a great shout and spurred forward. Here his better feeling prevailed over his better judgment—for that shout was heard, and had immediate effect upon the decamping army. They were seen to halt upon their hill; they were seen to be in confusion; Simon himself was seen standing up in his stirrups haranguing his fellow-thieves. And women, harrowing sight! were there: one, sitting, nourished a baby; two lay prone and slept, one's head upon the other's shoulder. And with tears of blood the Captain saw one sit apart beside a bear, and lean her fair head upon his tousled pelt, as if with weariness foredone.

"Oh, saints on your golden thrones!" he groaned, "Send me there quickly with a sword of flame!"

Soon there was a hasty resolution taken upon that distant hill, due, no doubt, to the advance of the rescuers. The horde of thieves scattered like smoke among the cistus and box bushes. Scarcely a trace was left behind. Yet Tristan declared that he saw something white fluttering there by a slender tree—fluttering up there like a rag blown by the wind.

He saw truly and well. A woman was bound, with her back to the tree: a young woman, a slim young woman, a beautiful, slim young woman—her head drooping to her bosom, her face hidden by shrouds of dark hair.

Tristan crying "Sanchia! My Sanchia!" slipped from the Captain's pillion and ran up the hill, shouting at random as he went—"Sanchia! I come. Heart of mine, I am here: I, Tristan, thy lover, am here!" She

looked up, she bent her head sideways to see him. In a moment more his arms were about her, his lips had found hers, and were well advanced in their second thousand by the time the Captain-Count of Picpus could see what he was about.

He was touched, while he could not approve. "Pretty, pretty—but the act of a fool. He will break her arms off at the wrists." Dismounting, he went forward, drawing a long knife and stepping up gingerly, tiptoe like a trespasser. "By your leave, gentles," says he, and cut the cords. The lovers fell into each other's arms; the soldiery admired; but his lordship turned his back upon a happiness too great for him to contemplate.

He called his troop to attention. "Sirs," he said, "I have a deed of vengeance to perform, and shall perform it alone. I require of you upon your faith and fealty to remain here guarding that kissing couple. My intentions in their regard are benevolent and just—but they must await my personal needs. They are innocently and happily engaged. Let no man pry upon their pleasures, but face about, the Company—face due north, you peering scoundrels, and the man who looks round him shall be even as Lot's lady was when I return, for by Cock I'll carve a pillow out of him with this blade which hot tears shall salt! Eyes front! About! Turn!" They turned as on pivots, and the Captain, leaping to the saddle, careered across the hill-top.

Like a setting-dog he hunted across and across, descending gradually towards the valley, where a river scurried among rocks to join the Rhone. He found lurking scoundrels without number,—hot-eyed, peering, scared scoundrels—but found not Simon. Women also, bedraggled and loose-shifted—but not the lovely Nicole. And so at last he came down to the mouth of the river, and there he might easily have missed him, for the rocks were piled, and densely covered with scrub.

But a resolute pair of gray eyes saw what a keen pair of pink ears had heard, and Nicole la-Grace-de-Dieu in the nick of time struck the brown bear with her staff as she crouched beside her sharp-set tyrant. The bear, as fire had taught him, set up his watery roar; and Captain Brazenhead, with a "Ha, Dieu!" which caused Simon's heart to stand still, turned his horse and spurred straight as a die to the covering rock. He was on his feet in a moment; he saw his prey, and the wind whistled shrill through his teeth as he drew it—

"Oh, Simon, Simon," was all he could say, "Oh, Simon, Simon! what a meeting have we here!" He advanced lightly, like a gallant meeting his partner in the dance, and plucked up the screaming man by the ears of his head. Nicole, meantime, blushing very charmingly, did her best with the rags upon her to meet her true love's gaze.

But he never looked at her yet. He was concerned with the wretch whom he held.

He stopped his squealing by a simple means. He stuffed his mouth with thistles which he tore from between the rocks. Then he meditated profoundly, holding Simon with one hand, while with the other he clasped his chin. Never a word spake he, never a glance gave he to the fair woman; he thought as never before—and presently proceeded to action. His prize was too good for haste. Yes, yes—he would save up Simon.

With the bear's chain he firmly bound his victim, face to the tail, upon the beast's broad back. Simon's feet were fettered under the bear's belly, Simon's hands were bound behind his own back. Then Captain Brazenhead, kneeling on one knee, raised the stained hand of Madame de Picpus to his lips and respectfully kissed it.

"Madame my consort," he said, "your tribulations are over. A horse stands here for your ladyship, when your ladyship will be pleased to make use of it."

Nicole, with one shamefaced glance at her tattered petticoat and wounded feet, rose. Her lord lifted her to the saddle, and, leading the bear by one hand and the horse by the other, took the way up the mountain.

Amazement sat upon the proud face of the young Lady Sanchia, confusion upon that of her happy lover, when the Captain-Count presented all present to the lady the Countess. He did it with a superb ease which is his highest praise: "Permit me, Madame Sanchia, to make two noble ladies acquainted. To Madame de Picpus, my consort, I present the young Lady Sanchia des-Baux, descended from one of the holy kings of Cologne—the most remarkable of them." Madame Sanchia lifted her head, Madame Nicole hung hers, but the Captain-Count flicked up his moustachios in quick succession till they soared above his eyebrows like poplars on a river bank.

To the young man Tristan, still barefoot, he used a somewhat severer tone. "Colleague," said he, "fellow-journeyman upon the Parnassian uplands, your services to me have been many and great, but the honor of my consort demands full measure from you. And whereas in giving me news of her radiant appearance in a horde of hedge thieves—in which company she, being the fairest of women, must needs have gleamed like a diamond in a midden—you did, without the fear of God, speak of her in common with all the women of that crew as 'drab'—a thing most hateful to me and lacerating to her honor—I now require you, bareheaded, to approach her ladyship and kiss her glorious knee, asking pardon upon your own pair for so detestable a fact. Come now, brother, play the man without ceasing to be poet."

A convulsive movement of the fair Nicole's betrayed her anxiety to cover her bruised knee before the ceremony might be done. But the alacrity of the young man prevented her. He kissed her uncovered knee,

and upon his own implored her pardon, so justly, eloquently, and well that Captain Salomon embraced him warmly and vowed they should mingle blood before the sun set that day. And no doubt they did.

He then announced his settled intentions for the future. "Madame, he said to Dame Sanchia des-Baux, "I shall not conceal from your ladyship that my instructions with regard to yourself have varied from time to time. If I spare my blushes by not telling you of them, it is only, believe me, because they are now irrevocably fixed in your service. It is my intention to take you to your seigniory of Les-Baux, and it is my intention to hold your castle and town in your behalf; but it is not my intention to allow entry to the Viscount of Turenne, my late patron, nor to the reverend Bishop of Agde, my former patron—for reasons which it would not become me to discuss. I hold your good town for you, lady, upon two conditions. The first is that you lead to the altar this gifted young man, by whose aid I have recovered my wife and my enemy; and the second is that my lovely consort be made the mistress of your robes, and chief woman about your person."

These things being agreed to, the Count of Picpus sounded the advance; and when late that evening they halted in an abbey called Saint-Raimbaud-des-Mortadelles, and our hero held his fair Nicole in his arms, he proved to his own satisfaction, and to mine, that Boccaccio was perfectly right.

Of the ultimate fate of Simon and the brown bear, of Pym, and his eye, and his Bishop of Agde, of the three Counts of Picpus and the unheard-of contest between them; and lastly of Lambert Paradol of Cartel Jaloux in Gascony, the only man to whom Captain Brazenhead ever bent the knee, the tale would be long, even if I knew all of it. I am learning it by staves at a time: it is but a portion of the great Brazenhead cyclus: and some day—

ENGLISH POLITICS IN SOCIAL LIFE

By G. W. E. RUSSELL

Author of "Collections and Recollections," etc.



AM invited by the Editor to write on "The Relations between Social Life and Politics in England," and he obligingly hints that, in dealing with this theme, it is not necessary to commence with the Deluge. Well, perhaps not actually with the Deluge, but it is necessary to commence a good way back; for, until a period well within living memory, the relations between social life and politics in England were still governed by traditions inherited from the days of the Stuarts. It was the long strife between the Stuarts and the Parliament which first divided English society into the court party and the country party. The court party maintained "the right divine of kings to govern wrong." The country party stood for the right of the common people to enjoy a reasonable measure of civil and religious freedom.

The Revolution of 1688 did not disturb the line of cleavage. The friends of freedom had, for the moment, got the upper hand: the defenders of arbitrary power lay low, but in their abasement they were steadily watching for, and trying to promote, a readjustment of positions. Through the reigns of Anne and George I, and far on into the reign of George II, the adherents of the Stuart cause believed in the restoration of the Stuarts as well within the range of practical politics. The existence of this belief, and the various machinations to which it necessarily gave rise, virtually determined the cleavage of society. Everyone was either a secret supporter of arbitrary

power and popish religion, or else a friend to constitutional freedom and the Protestant succession. Whereas, under the Jameses and the Charleses, people had been Royalists or Parliamentarians, Roundheads or Cavaliers, under George I and George II they were Jacobites or Hanoverians. The civil life of England was practically divided into two camps. In the one, you had the champions of Protestantism, constitutional government, and the established order, strongly entrenched, flaunting their colors, and openly challenging all the world. In the other you had the secret soldiery of the exiled cause; precluded, by the necessities of the case, from making open demonstration, but incessantly busied, out of sight, with plots and stratagems and manœuvres for the overthrow of the Hanoverians and the restoration of the Stuarts. Every one who, in the social sense, was any one, must belong to one party or the other; and there were neither relations nor communications between the two. Men lived as men would naturally live, whose traditions held the recent memory of one civil war, and who confidently expected to see another.

It is a difficult and interesting study to trace the decline and fall of the Jacobite faith. As a mere idea—what Matthew Arnold called "a lost cause, an impossible loyalty—" it survived the death of Charles Edward in 1788; scarcely owned itself defeated by the death of his Cardinal-brother in 1807, and even lingers to this hour in antiquarian dreams. But, as a practical force in English politics, Jacobitism came to an end in 1746. Culloden was the death of it. From that time, a new line of cleavage

began to divide English politics, and, as a consequence, English society. As long as Jacobitism was active, and actually threatening the dynasty and the Constitution, the adherents of the Hanoverian succession forgot all minor differences, and bound themselves together in a close alliance for the maintenance of the Constitution as established in 1688. Lord Beaconsfield, though he always loved a touch of picturesque travesty, did not seriously exaggerate when he said that the Government of this country from 1688 to the accession of George III was really a "Venetian oligarchy." The political power, whether parliamentary or executive, was in the hands of a small group of wealthy noblemen, closely connected with one another by marriage and interest, and, however much they might differ on other points, absolutely at one in their main object—the maintenance of the Protestant succession. The "great governing families of England," as they have since been called, were welded into a solid body by the fear of Jacobite conspiracy. But, after 1746, the new cleavage appeared. The great families which had aforetime been Jacobite soon became, or at any rate declared themselves to be, perfectly loyal to the established order and the *de facto* Government. Henceforward they were candidates for a share in the political administrative power which the "Venetian oligarchy" had monopolized, and their wealth, rank, and influence made them formidable rivals. At the same time, the common peril which had held the oligarchy together being removed, the oligarchs began to fall asunder, and to rearrange themselves in fresh groups according to their respective interests and ambitions. The upper class of England, in which alone political power resided, was now united in practical acceptance of the Hanoverian dynasty; but there is one line of cleavage which, disguised by one name or another, will always reassert itself as long as men are organized in political society—I mean

the line which divides the idea of authority from the idea of freedom.

And, so, from the accession of George III, we can trace, even more and more clearly, the separation between those two great parties in the State which, under the successive titles of King's Friends and Friends of the People, Tory and Whig, Conservative and Liberal, have subsisted to the present day. Each party was reinforced by adhesions from without. The Tory party gradually absorbed all those families which had been Jacobite, as long as Jacobitism was possible, and which, though no longer Jacobite, were still Royalist. The Whig party drew into itself a great number of new families which had become wealthy by trade, and then had invested their wealth in land; for only land, in those days, carried political power.

So the great battle between Whig and Tory was fairly joined; and its varying fortunes make the history of England from 1760 to 1867. In passionate earnestness, in fanatical faith, in close comradeship between allies, in complete unscrupulousness as to methods for defeating the foe, the strife bore all the characteristics of actual warfare; and the area of its operations covered all social as well as political life. The whole world was divided into Whigs and Tories. There were Whig families and Tory families, Whig houses and Tory houses, Whig schools and Tory schools, Whig universities and Tory universities. Thus the Duke of Norfolk and his clan were Whigs, the Duke of Beaufort and his clan were Tories; and the cleavage ran right down, through all ranks of the peerage, into the untitled gentry. In London, Holland House was a Whig house; Londonderry House was a Tory house. In the country, Woburn was a centre of popular movements; Stowe, thirty miles off, the headquarters of prerogative. Eton was supposed to cherish some sentimental affection for her former neighbors, the exiled Stuarts; so good little Whigs were sent to Harrow. Oxford

had always borne a Jacobite character; so adolescent Whigs went to Cambridge. There were Tory poets, like Scott, and Whig poets, like Byron. There were Tory publishers, such as Murray, and Whig publishers, such as Longman. Tory actors, like Kemble; Whig actors, like Kean. There were even Tory prayers and Whig prayers, for of the two Collects for the King, which stand at the beginning of the English Communion Service, one was supposed to teach the divine right of kings, and the other the limitations of royal authority.

Members of the two great parties regarded one another with a genuine ill-favor and suspicion. As Tennyson's "Northern Farmer" held that "the poor in a loomp is bad," so the Whigs and Tories of old time honestly believed that their respective opponents were, as a rule, not only mistaken politicians, but bad men. The first Earl of Leicester (Thomas Coke, 1752-1842), whose life spanned the most stormy age of English politics, used to say that his father took him on his knee and said: "Now, Tom, mind that, whatever you do in life, you never trust a Tory." And he used to add: "I never have, and, by G—, I never will!" When a scion of a great Whig house married a daughter of a Tory Lord Chamberlain, the head of the house exclaimed in prophetic agony: "That woman will undo all that we have been doing for two hundred years, and will make the next generation Tory." It was said that a Whig child, who from her earliest hours had never heard anything but abuse of the Tories, said to her mother: "Mamma, are Tories born wicked? Or do they grow wicked afterwards?" And I myself knew an ancient lady, who had been brought up in the innermost circles of Whiggery, and who never entered a hackney cab until she had ascertained from the driver that he was not a Tory.

Meanwhile the Tories were by no means backward in reciprocating these amenities, and little Tories were trained to believe that Whig-

gery meant treason to kings and impiety to God, and that all the frequenters of Whig houses were in their secret hearts atheists and revolutionaries. The high-water mark of this polemical intemperance was reached when the Tory ladies of society, infuriated by Queen Victoria's Whiggish proclivities, hissed their young sovereign at Ascot Races.

On the relations between social life and politics in England during the earlier years of Queen Victoria's reign, there was no better authority than Lord Beaconsfield, who, as the dazzling and inscrutable Benjamin Disraeli, was just then beginning his public career. In "Sybil" he describes, with inimitable humor, the social machinations by which the great ladies on each side of politics tried to circumvent their rivals and win adherents to their own cause.

"Well," said Lady St. Julians, "I think I will ask Mr. Trenchard for Wednesday. I will write him a little note. If society is not his object, what is?"

"Ay," said Egremont, "there is a great question for you and Lady Firebrace to ponder over. This is a lesson for you fine ladies, who think you can govern the world by what you call your social influences: asking people once or twice a year to an inconvenient crowd in your house; now haughtily smiling, and now impertinently staring, at them; and flattering yourselves all this time that to have the occasional privilege of entering your saloons, and the periodical experience of your insolent recognition, is to be a reward for great exertions, or, if necessary, an inducement to infamous tergiversation."

This trenchant passage is supposed to refer to the political strifes of 1839; and from the following year, or thereabouts, a new order begins. The Queen married Prince Albert in 1840, and it was part of the Prince's policy to abate the mutual bitterness of political parties, to heal schisms, to reconcile differences, and so to unite all the rank and wealth and culture of the country in the work of

maintaining the Crown against the onrush of Democracy. Thus by degrees the old vigour of political strife declined; people no longer confined their visiting to Tory houses or Whig houses: the enlarged freedom of social intercourse led to matrimonial alliances in which rival politics were blended; and so the influence of politics in social life was sensibly diminished. At times of special stress, however, it was always ready to reassert itself. Lady Palmerston, who died in 1869, and may justly be regarded as the head of the profession of political hostesses, once gave some sage counsel to the late Lady Salisbury: "One day you will probably be a Prime Minister's wife. Be guided by my experience. When politics are acute, keep out of the way of your husband's opponents. If you meet them, something is sure to be said which will make subsequent intercourse difficult. So keep yourself to yourself till things get quiet, and then you can meet again on the old easy terms."

What Lady Palmerston said about the seasons of special acuteness in politics remained true for thirty years after her death. It is within my personal knowledge that in 1878, when the Eastern Question was at its hottest, it was difficult for a hostess to make a party if she had Gladstone dining with her. When Home Rule was the excitement of the moment, people discarded their closest friends if they were on speaking terms with Parnell. During the South African war the advocates and the opponents of the war could not meet without imminent risk of an explosion. At these times of special crisis, politics will reassert their old influence over society; but, during quiet times, and in ordinary circumstances, that influence can hardly be said to exist.

In writing this, I do not forget the Primrose League. That remarkable institution, founded by the genius of Lord Randolph Churchill, for the purpose of "promoting jobbery by means of snobbery," is an election-eering agency of great value: but it

scarcely affects society. It operates among the lower middle classes, whom it influences by bringing them into delighted contact with the Tory aristocracy; but it does not touch the general life of society, for society possesses by nature the boons which the League dispenses to those who have them not but earnestly desire them. The same remarks apply, *mutatis mutandis*, to the "Liberal Social Council," which endeavors to do for the Liberal party what the Primrose League has done for the Tories.

I am thinking of society as it exists at this present moment: I should say that it is wholly uninfluenced by politics. I do not know that there is a single house to which a man would be admitted, or from which he would be excluded, on account of his political opinions. In brief, the amalgamation of Liberals and Conservatives for social purposes is complete. To what is that amalgamation due? Partly, no doubt, to indifferentism. In days gone by, political opinions were like religious beliefs; their adherents held them with profound conviction, thought any labor and any sacrifice well bestowed in promoting them, and regarded the professors of opposite tenets with ill-concealed aversion. Sydney Smith boasted that he had never been "stricken by the palsy of candour," and eager politicians on both sides were disposed to rate their opponents as knaves or fools. Under these circumstances, they naturally did not seek one another's society. When they were forced into one another's company by the exigencies of life, they were civil because they were gentlemen; but the civility was hollow and artificial. What politicians really enjoyed was a society where they could say what they thought of the other side with the outspoken vigor which distinguished the journals of Mr. Creevey.

Nowadays this temper has almost entirely disappeared. As I said just now, it reasserts itself at times of special strain, when the long-descended principles of Authority and

Freedom are brought sharply into conflict. But these crises only arise once in ten years, if so often; and, in the intervening decades politicians contrive to live together in amity and peace.

Of course, the controversy between parties—between the Ins and the Outs—goes on simmering all the time. All politicians desire office, patronage, profit, power, social consideration, a place in the public eye; and what they desire for themselves, their wives and families, friends and hangers-on desire for them; so, just at the time of a general election, when the enjoyment of these boons for the next five years or so is hanging on the issue of the contest, social relations between rival politicians become a little strained. But between one general election and another, a complete harmony prevails. No one, on either side, believes very passionately in the gospel which he preaches. In a cool and reasoned way, the politician thinks his party and its policy, on the whole, the best; but there is nothing passionate in his conviction, nothing enthusiastic in his language; he does not for a moment doubt that his opponent is quite as honest a thinker, quite as good a citizen, as himself; he does not impute base motives, or imagine moral obliquities—in fine, the relations between the two political parties are as harmonious as those between two sides in an athletic contest, when they meet again in social life after the match is lost and won.

It is obvious that this spirit of indifference in politics must diminish, if it does not destroy, the influence of politics on social life. When people regarded their opponents as "bold, bad men," they naturally did not ask them to dinner. Now, when no one ever thinks it worth while to condemn any one else, there is no political hindrance to social hospitality. And hospitality is not, and never can be, the last word. Where people of all ages meet, day after day and night after night, in the same houses, and in the

same amusements, acquaintance is bound to deepen into something more intimate. No Tory father would dream, nowadays, of declining the advances of a Liberal youth who desired to marry his daughter; and the Liberal father, as becomes his traditions, would be even more wide-minded. So the force of relationship comes in to reinforce the action of indifference; and people can dine in the most affectionate intimacy with their relations-in-law, though they may be going down to the House of Lords or the House of Commons directly after dinner to vote in opposite lobbies.

Politicians who are old enough to remember the days when political strife was earnest and even brutal are inclined to lament the softer conditions of modern controversy. They say—and certainly there is some truth in it—that men who hospitably mix with one another in social life are disarmed when they come to attack one another in public, and that therefore the fight, which ought to be fought out with all possible determination, loses in vigor, earnestness and interest. A remarkable instance of this disarming process has been supplied in recent years by the performances of a social clique which for some time played a conspicuous part in London. Some five and twenty years ago, society became aware that a new dynasty—for it was more than a family—had made its appearance in London. The Neuchatels—we will borrow a name from Lord Beaconsfield—had much to recommend them. The parents had great wealth and remarkably hospitable dispositions. Their daughters had some beauty, a great deal of smartness, several accomplishments, unbounded vivacity, and a social ambition which could not be described as moderate. The whole family were unusual people. They were entirely outside the customary rut. They had no conventional prejudices, and did not feel themselves restrained by any social discipline. They said, did, and wore exactly

what they pleased. They went where they chose, and behaved as they chose. They resembled a gang of social gypsies, who had pitched their camp in the very heart of Vanity Fair. It was generally imagined that they had foreign blood in their veins; but this was never ascertained. This only was certain—that they enjoyed their lives thoroughly; that they were widely, though not universally, popular; and that they made a more than ephemeral impression on the "too, too solid flesh" of London society.

The Neuchatels come into this paper only because they succeeded, as no one else had ever succeeded, in mixing politicians of all schools in a frank *camaraderie* with soldiers and actors and authors and artists and racing men. The whole business resembled a scene from "Trilby"; and grave politicians who had dined and drunk and chaffed and romped together in the frank fellowship of "Liberty Hall" could not easily pump up rhetorical indignation when they faced one another across the House of

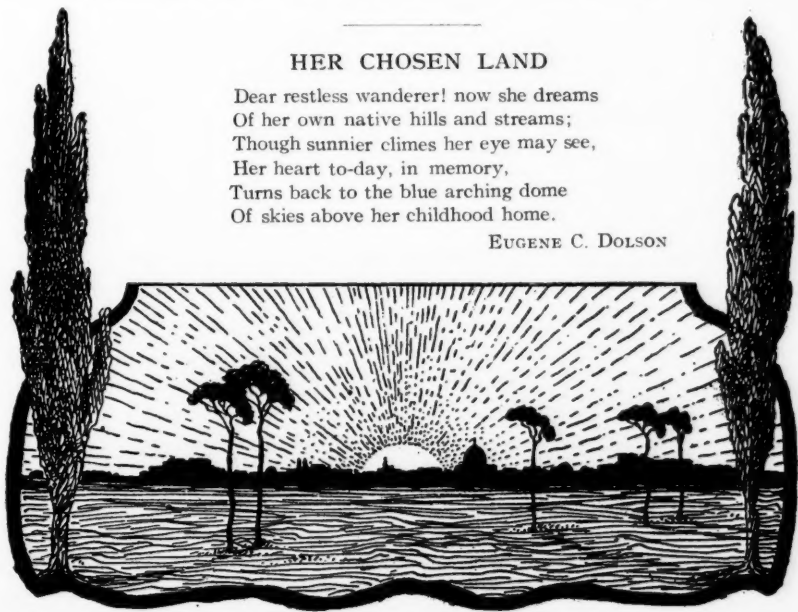
Commons, or criticised one another on the platform. Observers, who are not acquainted with the inner working of English politics, are sometimes perplexed by the honeyed amenity with which Mr. Balfour opposes Mr. Asquith, or Mr. Haldane replies to Mr. Brodrick. The secret is to be found in the henotic influence of the Neuchatels and others like them.

But the most healing influence which has been brought to bear on what was once the angry life of politics is the influence of his Majesty King Edward VII. Placed by his position above party, gracious and friendly to every one whom he meets, abhorring strife and contention, and delighting in a society where everyone is cheerful and makes the best of life, the King has done as much to promote mutual good-will among people separated by political disagreements as he has done on the wider stage of international relations. Politics no longer influences society, because society is dominated by a personality above politics.

HER CHOSEN LAND

Dear restless wanderer! now she dreams
Of her own native hills and streams;
Though sunnier climes her eye may see,
Her heart to-day, in memory,
Turns back to the blue arching dome
Of skies above her childhood home.

EUGENE C. DOLSON



EZRA CORNELL

(1807-1874)

AN APPRECIATION



IN a certain sense the founder of Cornell University was a typical American, as the fusion of his salient and distinctive characteristics into one personality could occur only in America and in America at a stage of development now passed by forever. Contemporary with Henry Wadsworth Longfellow as their birthdays tell the story, Ezra Cornell belonged nearer to an epoch of colonial beginnings and nearer, also, to a later phase of material development when creative imagination was dominant, than did the polished, gentle mid-century Cambridge poet, whose pleasant achievements rest securely on all the cultivation accessible to his New England present, to his old England past and to his vision *outré-mer*. For Ezra Cornell was moulded by very different circumstances in his early environment and his laborious young manhood.

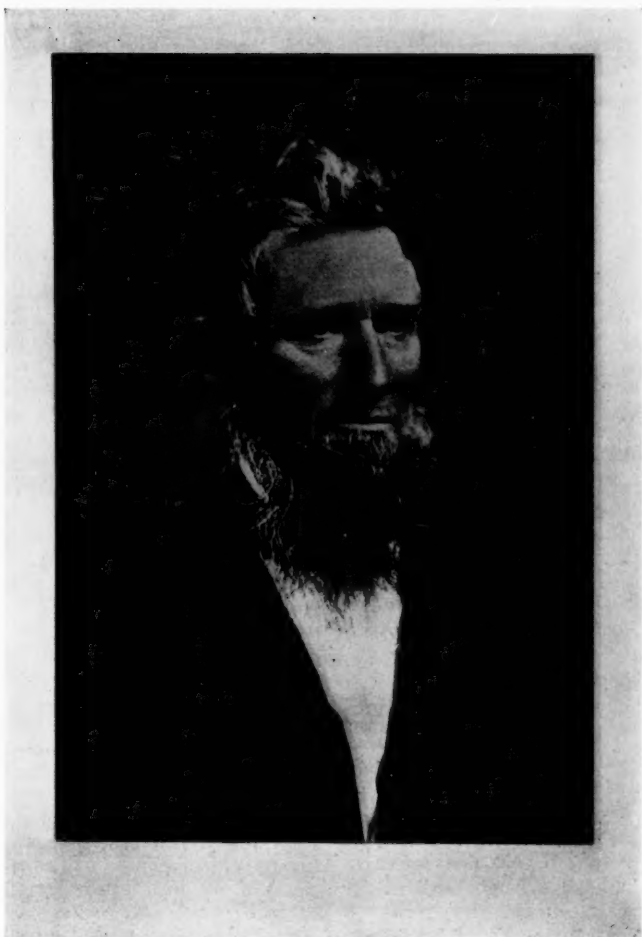
The Cornell family migrating in 1819 from Westchester to Madison County, New York, were pioneers into a wilderness as truly as were their Quaker ancestors of the seventeenth century. Their destination was the town of De Ruyter—named for the man whose tercentenary Holland has just fervently celebrated. But it was a "town" in name only, and Elijah Cornell's eleven children alternated home instruction from their father and meagre lessons in the rough district schoolhouse with field, farm and

forest work peremptory in its demands. Ezra, the eldest, earned his last term at school by logging, burning and preparing for planting four acres of wooded land. He was nineteen when he left the family nest and made his entry into Syracuse, seeking an independent career. The traditional bundle was his sole outfit, some self-taught carpentry his technical training and a latent imagination his guide to an industrious, vigorous energy. In his first six months of employment, it is said that he worked overtime to the equivalent of four weeks, and that on a day of twelve hours!

Ithaca succeeded Syracuse as a field of day labor. There, Ezra Cornell was busied for some years at house building and tunnelling. In 1843, he was travelling about the country, selling a plough of his own invention, when his path crossed that of Samuel Morse, agonizing in his efforts to convince the unheeding public that the electric telegraph was worthy of a trial.

Ezra Cornell not only believed in the wild and visionary project but was ready to throw himself heart and soul into it. He conceived a plan for laying the wires and he made an invention calculated to diminish the difficulties in despatching the messenger whose practical fidelity the wise world doubted. But more valuable even than these contributions to the ultimate success of the undertaking was his absolute faith. Doubters were in a chilling and scoffing majority.

At last the tables were turned



EZRA CORNELL

and those early enthusiasts reaped substantial profit from the perfected and proven system of thought-transit. As fortunes were rated then, Ezra Cornell was a rich man by 1860, and was using his leisure in public affairs and in considering how he could best turn a portion of his wealth to the benefit of future generations. He was a member of the New York Legislature when Congress, after years of indecision, passed an act allotting to the several State governments certain

shares of the then undivided public domain, the proceeds of which were to be applied to technical education. In New York, many hands were stretched forth eagerly for a share of the spoils. A few legislators saw the disadvantage of dissipating and the importance of concentrating this fund, coming as it did from a grant such as no future government may enact, for never again will there be tracts of undiscovered country without a pale. Apportioned according to Congressional representation—

thirty thousand acres for each member—nearly a million acres fell to New York. The story of the contest as to its disposal has often been told. The final result was that, other claimants having fallen out of the race, Ezra Cornell made an offer that was accepted. To the future proceeds of the land, he added a donation of half a million dollars and two hundred acres for a site. A charter was granted and Cornell University sprang from the union of New York's quota of public wealth and the generous present of a private citizen who dreamed of enriching future youths with theoretic knowledge denied to himself.

His initial gift was, however, a small fraction of the benefit conferred on his namesake at its birth and in its weakly infancy. The national grant was distributed to the thirty-three States by means of "college land scrip," certificates each denoting 160 acres of unlocated land. So much of this paper was thrown upon the open market by the beneficiaries eager to realize, that the value depreciated terribly, 76,000 of New York's 990,000 acres being sold at \$64,440. It looked as though the remainder must be sacrificed for almost nothing. A sale was an essential preliminary for locating the land, because New York could not own land within the limits of another State, and within her own boundaries there was no more to be exchanged for the scrip.

Ezra Cornell made himself master of the situation. He purchased the remnant outright at thirty cents an acre, the pitiable value to which it had fallen, assumed the responsibility of locating and disposing of the vast estate at the most propitious moment, and pledged all the profits to the young University which had become the Benjamin of his old age. It was a tremendous undertaking to which the indefatigable founder gave his last years. The labor was not all he had to undergo. His motives were attacked. But he

ignored the calumny, and continued on his way. To the painstaking administration of his trust is due the fact that New York State reaped forty per cent. of the entire profits of the Morrill Land Grant Act of 1862, though her share was but ten per cent. of the whole. Some States obtained such paltry returns from their quota that there was barely sufficient revenue to support a small agricultural college.

But this husbanding of the endowment was not the greatest service Cornell rendered to the fortunes of the new institution. The portion of the fund controlled directly by the State was restricted to agriculture, military science and the mechanic arts. The increment earned by Cornell, and his own donation, were offered for education in all other realms of knowledge. Here again worked an imagination that overleaped practical bounds. To dream of an institution where every study should be provided was so vague as to be crude, and the intention was characterized as such. It was certainly audacious. Of late years there have been many ambitious foundations for educational needs, but at the era when Mr. Cornell was straining every nerve to obtain his charter, founding a university was a novel occupation. Schools and colleges planted by individuals might flower into universities; but since King Alfred was shorn of the glory of establishing Oxford, when had one man been responsible for such an act? The benefactors whose names are honored at Oxford erected fellowships, scholarships, halls of residence; and their beneficiaries were, as a rule, expected to carry out some pet idea of the philanthropist. Ezra Cornell's goal was not specified in terms of limitation. "Not my will but yours, you future generations of students thirsting for knowledge." A non-thirsting student was probably a being beyond his ken! He desired that the needs of others as individual citizens of the world should be considered. No

creed was to be stamped on trustee, instructor or student. Women were counted as persons free to develop such talents as they might be hiding.

Mr. Cornell did not, indeed, think out every feature that distinguished his foster child from her sister institutions. He was wise in his friendships and Dr. Andrew D. White was brilliant in his fertile suggestions; still, in all Cornell had a part. His mind was not only hospitable to new ideas but keenly interested therein, even though they were in a realm of academic thought to which his busy life was a stranger.

It is more than possible that he fancied that the name of "university" implied a mart of universal knowledge. Of the guild idea inherent in the word he was ignorant. Yet his foundation has attained

that idea to a remarkable extent for its youth. The graduates were made responsible for the election of certain trustees, and thus their continuous interest in their Alma Mater was ensured; and there are other details in the construction of Cornell University instinct with the theory of a live corporation open to influences of new thought.

Yes, the initial conception was crude, but crudity animated by a vital spark can ripen. The impress of a master mind must have results.

In spite of his work as mechanic and artificer of his own fortunes, Ezra Cornell was preëminently an idealist. Among academic founders he is exceptionally altruistic and unselfish and, as in the case of many other so-called practical Americans, his distinctive quality was a large imagination.

ITS MISSION

'T was a brave little song, a glad little song,
And the heart of the poet was gay
As he thought of the fame it would bring to his name
And the dollars his debts to pay.

'T was a curt little note that declined the verse,
And the heart of the poet was sore,
But his hopeful pen sent it forth again
As oft as it reached his door.

'T was a cheap little sheet of a name obscure
That printed the verses at last,
And never a word has the poet heard
Of fame or of fortune vast.

But a wan old man in a garret dim
Smiled o'er the lilting line,
And the brave little lay cheered his homeward way
To the land where the day-stars shine.

Alice Crittenden Derby

THE EMILY EMMINS PAPERS

By Carolyn Wells

With Drawings by Josephine A Meyer



three o'clock A.M., from either direction, and when, on the first morning after my arrival in London, I was awakened at that hour by a gently intrusive daybreak, I felt as if I had received a personal and intentional affront.

I rose, and stalked to the window, with an air of haughty reproach, intending to close the shutters tightly until a more seemly hour.

As there are only six window-shutters in the whole city of London, it is not surprising that none of these

was attached to my window; but it really did n't matter, for after reaching the window that morning I never thought of a shutter again until I returned to America.

My window, which was a large French affair in three parts, looked out upon Piccadilly. It opened on a small stone-railed balcony, and as I looked out three pigeons looked in. They were of the fat and pompous kind, and they strutted along the railing, with a frankly sociable air, cocking their heads pertly in an endeavor to draw my attention to the glistening iridescence of their neck-feathers.

I liked the pigeons, and I told them so, but even better I liked the sight across the street.

Green Park at dawn is as solemnly impressive as the interior of West-

minster Abbey. The trees sway and quiver, giving an occasional glimpse of the Clock Tower of Parliament House. From the throats of myriad birds comes a sound as of one blended twitter, and a strange, unreal radiance pervades the whole scene. With the rapidly increasing daylight definiteness ensues, and railings, benches, roadways and other details of the park add strength to the picture.

Having seen three o'clock in Green Park, I promptly forgot my errand with the shutters, and, hastily donning conventional morning costume, I prepared to watch four o'clock, and five and six appear from the same direction.

As outlines became clearer I noticed a park bench directly opposite my window, on which sat four old women. All were garbed in black, and all were sleeping soundly. I was then unaware of the large proportion of the elderly feminine in London's seamy side of population, and so casual was the aspect of the quartet that it did not occur to me they were occupying the only earthly home they possessed.

They seemed to me more like duplicate Mrs. Lecks' and Mrs. Ale-shines, who had paused for a time in Green Park instead of in mid-ocean.

But after I had seen the same women there at three o'clock on a dozen consecutive mornings I began to realize that they were part of the landscape.

Nor was I unduly sorry for them. They sat on that bench with the same air of voluntary appropriation that marked the birds in the trees, or the pigeons on the railing. And as the days went on I became accustomed to seeing them there, and ceased to feel any inclination to go out and try to persuade them to enter an old ladies' home.

At about seven o'clock the omnibuses began to ply. I had never known before what was indicated by the verb *to ply*. But I saw at once that it is the only word that properly expresses the peculiar gait of an omnibus, which is a cross be-

tween a rolling lurch and a lumbering wobble. Fascination is a mild term for the effect these things had on me.

One omnibus might not so enthrall me. I don't know; I have never seen one omnibus alone. But the procession of them along Piccadilly is the one thing on earth of which I cannot conceive myself becoming tired.

Their color, form, motion and sound all partake of the primeval, and their continuity of effect is eternal.

My Baedeker tells me that the first omnibuses plying in London were "much heavier and clumsier than those now in use." But of course this is a mistake, for they could n't have been.

I have heard that tucked away among the gay-colored advertisements that are patchworked all over these moving Mammoth Caves are small and neatly-lettered signs designating destinations. I do not know this. I have never been able to find them. But it does n't matter. To get to Hampstead Heath, you take a Bovril; to go to the City, take Carter's Ink; and to get anywhere in a hurry, jump on a Horlick's Malted Milk. There is also a graceful serpentine legend lettered down the back of each 'bus, but as this usually says "Liverpool Street," I think it can't mean much.

Personally, I never patronize one of the things. They are too uncanny for me, and their ways are more devious than those of our Seventeenth Street horse-cars.

Besides, I always feared that, if I got in or on one, I could n't see the rest of them as a whole. And it is the unbroken continuity that, after the coloring, is their greatest charm. I have spent many hours watching the Piccadilly procession of them, "like a wounded snake drag its slow length along," and look forward to many hours more of the same delight. But the dawn, the daybreak, and the early morning slipped away, and all too soon my first day in London had begun.

My mail brought me difficulties of all sorts. There were invitations from people, whom well-meaning mutual friends had advised of my arrival. There were offers from friends or would-be friends to escort me about on shopping or sight-seeing tours. There were cards for functions of more or less formality, and there were circulars from tradesmen and professional people.

With a Gordian-knot-cutting impulse, I tossed the whole collection into my desk, and started out alone for a morning walk.

Nor shall I ever forget that walk. Not only because it was a "first impression," but because it was the most beautiful piece of pedestrianism that ever fell to my lot.

My clubhouse home was almost at the corner of Hamilton Place, and as I stepped from its portal out into Piccadilly I seemed to breathe the quintessence of London, past, present and to come.

Meteorologically speaking, the atmosphere was perfect. The reputation for foginess, that London has somehow acquired, is a base libel. Its air is marked by a dazzling clearness of haze, that more than anything else "life's leaden metal into gold transmutes."

Thus exhilarated at the start, I began my stroll down Piccadilly, and at every step I added to my glowing sense of satisfied well-being. I turned north into Berkeley Street, and thus started on my first sight-seeing tour. And was it not well that I was by myself?

For the most kind and well-meaning cicerone would probably have said: "Do you not want to see the house where Carlyle died?"

And how embarrassed would I have been, to be obliged to make reply:

"No, not especially. But I do want to see where Tomlinson gave up the ghost in his house in Berkeley Square."

Nor would my guide have been able to point out that perhaps mythical residence. But I had no trouble in finding it. Unerring instinct guided me along Berkeley Square, till I reached what I felt sure was the very house, and since I was satisfied, what mattered it to any one else?

This being accomplished, I next proceeded in a de-

sultory and inconsequent fashion to explore Mayfair.

Aided, like John Gay, by the goddess Trivia, I knew I could

securely stray

Where winding alleys lead the doubtful way;

The silent court and opening square explore,

And long perplexing lanes untrod before.

And as I trod, I suddenly found myself in Curzon Street. This was a pleasant sensation, for did I not well know the name of Curzon Street from all the English novels I had ever read? Moreover, I knew that in one of its houses Lord Beaconsfield died, and in another the Duke of Marlborough lived. The detail of knowing which house was which possessed no interest for me.



TOSSED THE WHOLE COLLECTION
INTO MY DESK

I rambled on, marvelling at the suddenness with which streets met each other, and their calm disregard of all method or symmetry, till I began to feel like "the crooked man who walked a crooked mile."

Attracted by the name of Half-Moon Street, I left Curzon Street for it. Shelley once lived in this street, and I selected three houses any one of which might have been his home. I went back, I traversed some delightful mewses (what is the plural of mews?), crossed Berkeley Square, and then, somehow or other, I found myself in Bond Street, and my mood changed. At first the shops seemed unattractive, and I felt disappointment edging itself into my soul.

But like an ugly woman, possessed of charm, the crammed-full windows began to fascinate me, and I forgot the inadequate sidewalks and unpretentious façades in the absorbing displays of wares.

Bond Street shop-windows are hypnotic. Fifth Avenue windows stolidly hold their exhibits up to one's view, without a trace of invitation, but Bond Street windows compel one to enter, by a sort of uncanny influence impossible to resist.

Though I expected to shop in London, there was only one article that I was really anxious to buy. This was a jade cube. For many years I had longed for a jade cube, and American experts had contented themselves with stating there was no such thing in existence. Time after time, I had begged friends who were going to the ends of the earth to bring me back a jade cube from one of the ends, but none had accomplished my errand.

I determined therefore to use every effort to secure a jade cube for myself, and forthwith began my quest.

A mineralogist on Bond Street showed more interest at once than any of my personal friends had ever evinced. Though he declared there was no such thing in existence, he further remarked his entire willingness to cut one for me from the best quality of Chinese jade.

He was quite as interested as I was myself, and, though it seemed inartistic to end so quickly what I had expected to be a long and difficult quest, I left the order.

The cube turned out a perfect success, and will always be one of my dearest and best-loved possessions. It has the same charm of perfection that characterizes a Japanese rock-crystal ball, and the added interest of being unique. There was, too, a charm in the interest shown in the cube by the old mineralogist, and also by his wife.

The day I went after the completed

polished cube, the elderly madame came into the shop from a back room, to congratulate me on the attainment of my desire.

Incidentally, the good people endeavored (and successfully) to persuade me to buy further of their wares.

They had a bewildering assortment of semi-precious stones, curious minerals and wrought metals and strange bits of handiwork from

foreign countries. Beads, of course, in profusion, and fascinatingly ugly little idols. As all these things have great charm for me, and as I am always easily persuaded to buy, I bought largely, to the great satisfac-



HE WAS QUITE AS INTERESTED

tion of the elderly shopkeepers. But, as I had learned a little of their tricks and their manners, I offered them, a bit shamefacedly, a lower price in each instance than they asked. To my relief, they took this proceeding quite as a matter of course, and cheerfully accepted the smaller sum without demur.

But to return to that first morning after my interview with the mild-mannered mineralogist, I strolled along Old Bond Street back to Piccadilly.

The Tennyson's Brook of omnibuses was still going on, and I stood on the corner to watch them again. From this point of view, the effect is quite different from that seen from an upstairs window.

You cease to generalize about the procession, and regard the individual bus with a new awe.

The ocean may be wider,—the Flat-iron Building may be taller,—but there's nothing in all the world so big as a London omnibus.

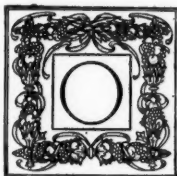


THEY WERE OCCUPYING THE ONLY EARTHLY HOME THEY POSSESSED

PROGRAM OF THE SECOND HAGUE CONFERENCE

By GEORGE WINFIELD SCOTT

Law Librarian of Congress and the Supreme Court



ON June 15 the delegates to the Second International Peace Conference will convene to discuss the questions set forth in the program prepared by the Russian Government. If the forty-eight states invited by The Netherlands send delegates, it will be the first time in history that all the independent governments of the world have participated in such a conference. At the first of the Hague conferences, in 1899, only the countries having diplomatic representation at St. Petersburg were invited by the Tsar. Of the twenty-six states which took part the United States and Mexico were the only American states.

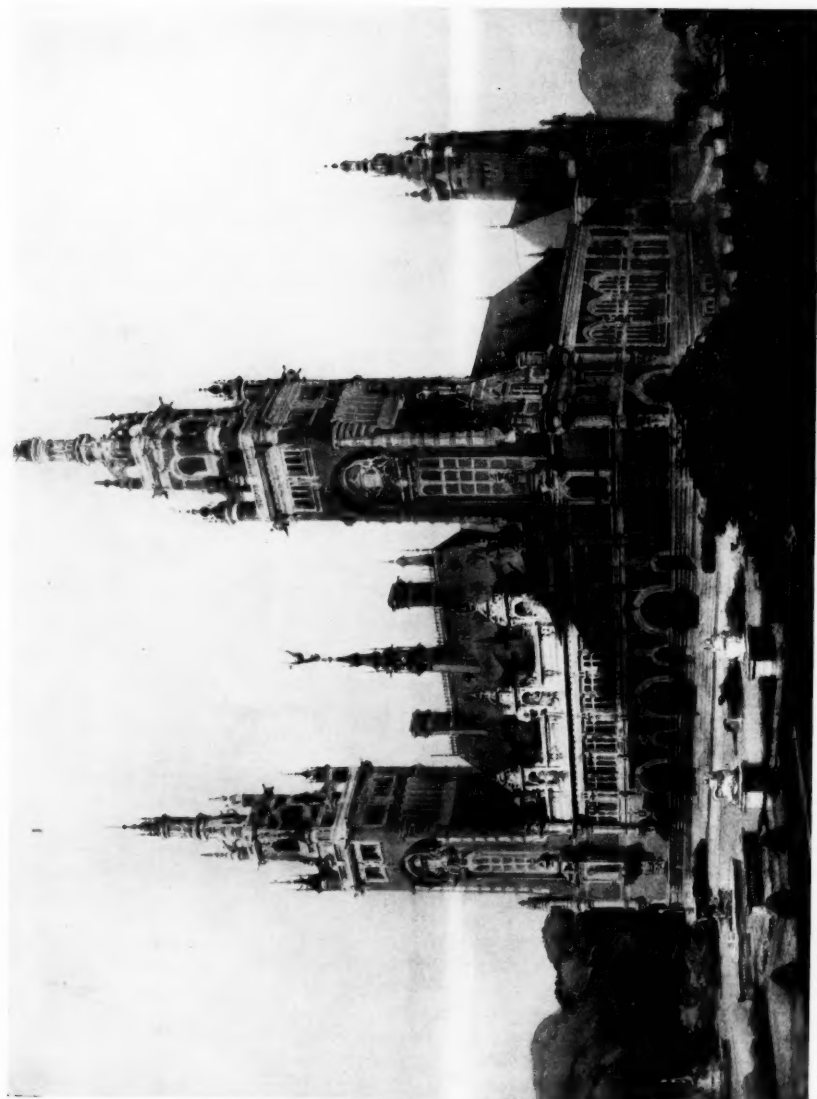
The Conference is commonly spoken of as a legislative body. This is hardly true. The conventions or treaties which it drafts are nothing more than recommendations to the treaty-making authorities of the states represented. But this fact does not mollify the exacting character of the business for which the Delegates convene. The drafting of solemn treaty stipulations, which are intended to regulate the conduct of the rank and file of people of every country at a time, perhaps, when their most desperate passions are aroused in an international difference, is a task calculated to constrain to conservative action every delegate who has a proper sense of responsibility. However deep his anxiety or keen his enthusiasm to

see a world civilization in which the arbitrament of law is substituted for war, he will test the decision of every question with the further question, "Are the people ready for it?" To legislate in advance of the public conviction of any community is most demoralizing to the law-abiding spirit which it should be the object of an international peace conference to cherish.

The Hague Conference has no defined procedure. Its work will in all probability be done through three grand committees: 1, Peaceful Adjustment of International Differences; 2, Regulations of Land Warfare; 3, Regulations of Maritime Warfare, and several subcommittees appointed by them. In the committees and in the Conference each state will have one vote, and a unanimous consent will be required to every proposition which the Conference recommends to the treaty-making powers of the respective states.

A great many questions have been suggested for the consideration of the Second Hague Conference, but the only subjects which can be examined are those mentioned in the program given out by Russia in April, 1905, and the two or three other subjects which some of the governments have expressly reserved the right to introduce. The original program was in French and the following is an official translation:

The Imperial [Russian] Government believing that there is, at present, occasion only to examine questions that demand special attention as being the outcome of



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THE CARNEGIE PEACE HALL AT THE HAGUE

Phototype by Van Leer & Co., Amsterdam

the experience of recent years, without touching upon those that might have reference to the limitation of military or naval forces, proposes for the program of the contemplated meeting the following main points.

1. Improvements to be made in the provisions of the convention relative to the peaceful settlement of international disputes as regards the Court of Arbitration and the International Commission of inquiry.

2. Additions to be made to the provisions of the convention of 1899, relative to the laws and customs of war on land—among others, those concerning the opening of hostilities, the rights of neutrals on land, etc. Declarations of 1899: One of those having expired, question of its being revived.

3. Framing of a convention relative to the laws and customs of maritime warfare, concerning—

The special operations of maritime warfare, such as the bombardment of ports, cities, and villages by a naval force; the laying of torpedoes, etc.

The transformation of merchant vessels into warships.

The private property of belligerents at sea.

The length of time to be granted to merchant ships for their departure from ports of neutrals or of the enemy after the opening of hostilities.

The rights and duties of neutrals at sea, among others the questions of contraband, the rules applicable to belligerent vessels in neutral ports; destruction, in cases of *vis major*, of neutral merchant vessels captured as prizes.

In the said convention to be drafted there would be introduced the provisions relative to war on land that would be also applicable to maritime warfare.

4. Additions to be made to the convention of 1899 for the adaptation to maritime warfare of the principles of the Geneva convention of 1864.

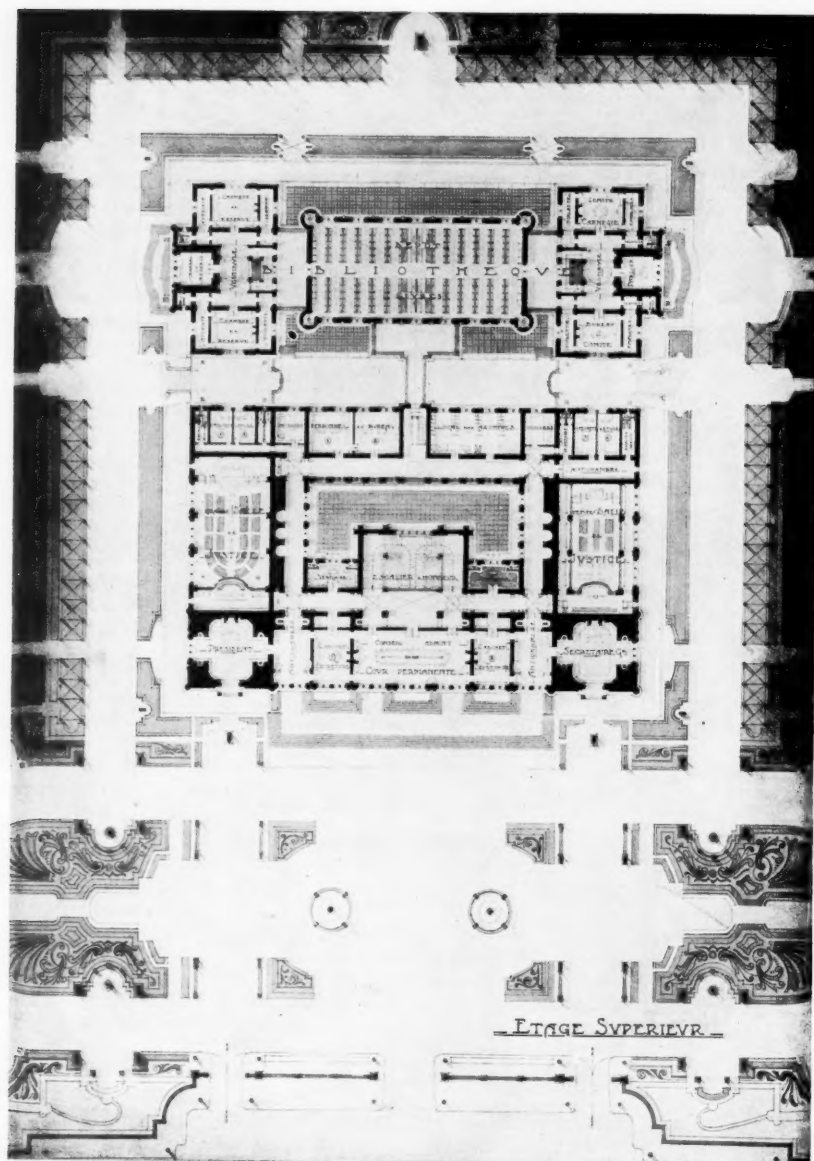
As was the case at the conference of 1899, it should be well understood that the deliberations of the contemplated meeting should not deal with the political relations of the several states, or the condition of things established by treaties, or in general with questions that do not directly

come within the program adopted by the several cabinets.

It will be remembered that the subject of limitation of armament formed the first and principal part of the Russian program for the First Conference. Its omission from the second program, for the reason "that there is, at present, occasion only to examine questions which demand special attention," created considerable surprise and amusement. It was observed as probably true that the Russian armament needed, at present, no further reduction. However, the reason previously emphasized by Russia for limitation of armaments was the awful burden of expense which their maintenance entailed. Obviously, the economic "demand" for an international agreement was never more powerful than to-day, particularly for the tax-burdened Russians upon whom falls the load of resuscitating the depleted armaments.

The futile effort of the delegates to the First Conference to reach any agreement to limit armaments undoubtedly did much at first to discredit their work. It was perfectly reasonable, therefore, to omit it from a second program, but hardly for the reason given by Russia. The First Conference passed two resolutions on the subject. One expressed the *feeling* that "the limitation of the military charges which at present so oppress the world is greatly to be desired for the increase of the material and moral welfare of mankind." The other expressed the *wish* that the Powers "should study the possibility of an agreement concerning the limitation of armed forces on land and sea and of war budgets."

How seriously the Powers have studied the question of limitation since 1899 is conjectural. It is a highly complicated, technical subject, capable of solution, if at all, by the military and naval experts alone. The practical difficulty is to determine a satisfactory ratio between the states respecting any of the items involved, and to effect an arrange-



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GROUND PLAN OF THE CARNEGIE PEACE HALL AT THE HAGUE

ment against the violation of an agreement. The real cause of the armament evil is and always will be a moral one. Excessive armament springs from the anxiety of each country to be in a position to maintain itself whenever a difference arises with another. To mitigate the evil without sacrifice of safety, the people and authorities of each state must not only foster sincere friendliness and common standards of justice, but assiduously cultivate that social and individual control of their passions which will safeguard each country against the oppression of another in times of intense feeling and excitement.

Is there, then, any useful result to be attained by introducing the consideration of such a question into a conference, composed of men of affairs, called together for a very short session, when there are many large questions pressing for settlement which are probably susceptible of solution and agreement? Differences of opinion seem to exist as to what are the "useful results" of International Conferences. Indeed, the British Government and the Japanese have reserved the right at the present Conference to have their delegates refrain from the discussion of any question which "would not be conducive to any useful result." If one admits that the infrequent and spectacular character of International Conferences gives them great popular educational possibilities, and believes that education is a proper function of such conferences, he may think it is important to secure the discussion of a question, like the limitation of armaments, in which there is not the slightest probability of achieving any practical agreement. To present vividly to the peoples of the world the vast expense and monstrous anachronism of their boasted "modern civilization" may tend to stimulate popular thoughtfulness and social self-control.

However it may be, Great Britain, the United States and Spain have insisted upon reserving the right to have their delegates raise the ques-

tion, in spite of the fact that at the last Conference these states were far from being the most enthusiastic advocates of the proposition. The United States at that time instructed its delegates to state that, in view of our relatively small armament, it regarded the question as one essentially European and not calculated to "form a subject for profitable mutual discussion." Great Britain is considered to have a naval power between two and three times as strong as that of any other state. While voting to continue this superiority, the House of Commons and Ministry have gone on record as strongly favoring the discussion of the question of limitation of armament by international agreement.

By some the action of the United States and Great Britain is regarded as a characteristic sop to Anglo-Saxon sentimentality. Others see in it the honest sympathy which the authorities of the two countries feel for the subject. They look upon the action of the two governments as another manifestation of a practical people's devotion to an ideal, and believe that the examination of the question by the august Conference of matter-of-fact men carries with it a "useful result" in the way of popular political education.

The present program starts with the consideration of improvements of a minor character in the International Court of Arbitration and the Commission of Inquiry. It will be remembered that the Permanent Court is merely a permanent panel of some eighty willing-to-be arbitrators whose names have been recommended by the signatory Powers; that the arbitration of every dispute between states is conducted "by judges of their own choice" and that the arbitral procedure provided is applicable "unless the parties have agreed upon different regulations." Since 1899 four "Hague Tribunals" have been set up for arbitration. Out of this experience some suggestions have been made for improvement—for example, whether litigant

states should limit their "choice" of judges by agreeing not to select the members of the permanent panel whom they have appointed; whether members of the permanent panel should be restricted from acting as counsel before the Tribunals which may be set up from time to time; whether a stipulation that a particular language shall be used in the proceedings of a particular Tribunal requires a further stipulation that the judges selected shall be familiar with that particular language. Such are the comparatively trifling questions which the Russian program contemplates in connection with the Court of Arbitration.

Desirous that the Hague Conference should consider a broader phase of this subject, the United States has reserved the right to have its delegates introduce the question of an "agreement to observe certain limitations in the use of force in collecting ordinary public debts accruing from contracts." This subject, commonly referred to as the Calvo or Drago doctrine, was considered at the Conference of American States held at Rio de Janeiro in July, 1906. If the American states succeed in persuading the Hague Conference to agree absolutely to arbitrate disputes arising from the public debt due by one state to the subjects of another, it will mark the first step toward compulsory arbitration; and, although few disputes are likely to arise in this field in which states would resort to force, any voluntary and unconditional limitation by the states of their right to seek redress by the use of force has most important significance.

The device for "elucidating the facts" involved in "a difference of opinion" between states by "instituting an International Commission of Inquiry" was proposed by Russia at the last Hague Conference and agreed upon. The North Sea or Dogger Bank difference between Russia and Great Britain, which grew out of the attack by the Baltic fleet on English fishermen, was settled by a commission

"analogous" to that recommended by the Hague Conference. The Dogger Bank Commission was authorized, not only to elucidate the facts, but to determine the question of "responsibility" and to apportion the "degree of blame." The present program permits the consideration of improvements in the scheme for Commissions of Inquiry outlined by the Hague treaty of 1899.

As both Japan and Russia were signatories to the Hague Convention of 1899, which established the "Regulations Respecting the Laws and Customs of War on Land," their terrific struggle witnessed the first attempt to put into practice the provisions of this code for land warfare. The usage observed by the enemies probably marks the highest type of civilized warfare, although the Russian "Instructions" fell rather short of the requirement of the Hague Convention by omitting certain regulations relating to military occupation, labor and wages of prisoners, war requisitions and contributions, and the organization of a bureau of information, and by extending somewhat the right to bombard towns.

The present program (proceeding on the theory of inviting the examination of questions which are the outcome of "the experience of recent years" and "demand special attention"), in suggesting the consideration of additions to the Land Warfare Code, mentions the "opening of hostilities." Japan, it will be remembered, was charged with "treachery" and "breach of international law" for suddenly attacking the Russian fleets at Chemulpo and Port Arthur, on February 8, 1904, prior to the formal declaration of war on February 10, although diplomatic relations between them had been severed on February 6 in consequence of the long time taken by Russia to reply to the Japanese note of January 13, 1904. Formal declaration of war, precedent to attack, has been irregular since the eighteenth century, and its necessity is generally denied. So far as the declaration of war was a deterrent

to unexpected attack, it never had much meaning except as it might delay the "opening of hostilities" long enough to permit of some preparation. To-day states are safeguarded against unexpected attack by the modern means of communication, which make extensive secret preparations virtually impossible, and by the warnings from the strained relations and diplomatic negotiations which invariably precede modern wars. Although "the opening of hostilities" may, so far as Russia is concerned, be "the outcome of the experience of recent years," it does not, so far as the body of states are concerned, suggest questions which "demand special attention."

The Declaration of 1899 mentioned in the program as renewable is the five-year prohibition against "the launching of projectiles and explosives from balloons," which was proposed by Russia and somewhat stultifyingly agreed to for humanitarian reasons; there being no likelihood that the navigation of balloons would be so improved that they could be used for the prohibited purpose. In regard to all such proposals at the former Hague Conference the United States took the sensible position "that it did not consider limitations in regard to the use of military inventions to be conducive to the peace of the world."

By a unanimous vote, the Hague Conference of 1899 expressed "the wish that the question of the rights and duties of neutrals may be inserted in the program of a Conference in the near future." Much has been written on the desirability of codifying this subject, particularly in order to secure uniformity of practice and thus enable neutrals to avoid the suspicion of giving aid to one or the other belligerent. The present diverse practice, regulated by statutes or decrees promulgated when the occasion arises, is calculated to promote the deep and lasting bitterness of the belligerent whose adversary is so situated throughout a particular war as to profit by an advantageous neutrality

proclamation. Thus some states insist upon the departure of belligerent war ships from their ports within 24 hours, on the penalty of being disarmed and interned, though it is by no means certain that this is required by international law or that a neutral may not vary its practice from one war to another and insist that there is no ground for complaint in the absence of a definite measure of international duty.

The same uncertainty prevails in regard to a large number of practices in which both neutrals and belligerents are vitally interested. Thus differences arose during the Russo-Japanese war with respect to such questions as asylum from the enemy, construction or sale of ships for belligerent use, armament, enlistment, neutral merchant ships acting under charter-parties as colliers for a belligerent fleet, status of war correspondents using wireless telegraphy within the zone of belligerent operations, submarine cable connections, belligerent use of stations of wireless telegraphy in neutral territory, sale of provisions to belligerent forces in or near neutral territory, what constitutes a base for hostile naval operations, financial aid which neutral individuals may give a belligerent, what exigencies justify destruction of neutral prizes, what constitutes contraband, immunity of mail ships and mail-bags, constitution of prize courts, laying mines, coaling and repairing belligerent war ships in or from neutral ports, condemnation of neutral ships for carrying contraband, duration of stay in neutral ports, right of visit and search, when and where belligerent merchant ships may be changed into war ships, disposition of belligerent sailors rescued by neutral vessels.

The task of preparing a neutrality code is a difficult one, and the final draft must needs represent a great many compromises. At present, for example, Great Britain, the United States, and Japan support a principle that articles *ancipitis usus*, of dual use (*i.e.*, serviceable for peace or war), are contraband only when destined for

military use. European writers and states claim to ignore the distinction. They contend that contraband *should* be strictly confined to munitions of war, although in the rôle of belligerents they either concede the principle of conditional contraband, or set up the startling pretension that many articles of dual use are absolutely contraband. The Russian lists published in 1904 made no distinction whatsoever between articles absolutely and conditionally contraband. Besides expressly including fuel, telegraph and railway materials, food stuffs, raw cotton and beasts of burden, they impliedly included all "other" articles destined for Japanese ports: thus apparently inhibiting the legitimacy of any neutral commerce with Japan. Neutral traders were amazed, and the United States and Great Britain vigorously protested. All these and many more divergencies are now scheduled to be fought out by the delegates at the Hague and formulated into a sort of international code of neutral rights and duties.

The first general treaty to regulate the conduct of naval warfare was the Hague Convention of 1899 which adapted the Geneva or "Red Cross" convention of 1864 to maritime warfare. The program permits the present Conference to consider not only the adaptation of the Geneva Convention as revised in 1906, but the adaptation of those provisions of the Hague Code of Land Warfare of 1899 which are "applicable" to naval warfare.

The International Conference held at Geneva June-July, 1906, was composed of eighty delegates representing thirty-seven states. The program, consisting of some fourteen questions, was prepared by the Swiss Federal Council and submitted to the several states months in advance of the meeting. The work of the Conference was conducted in four committees: (1) Sick, wounded and dead; (2) Personnel of sanitary formation; (3) Sanitary material, medical stores and supplies; (4) Emblem of the Convention, rules governing its use

and abuse, etc. The United States delegates were instructed particularly to secure a full report of the deliberations of the Conference, "to the end that the public opinion of the civilized world, to which the humanitarian purpose of the convention especially appeals, might be fully advised of its proceedings." The Geneva Convention of 1906 contains 33 articles and is considered a decided advance beyond the Convention of 1864 toward the humanizing of war. The friends of international justice and peace should feel that every limitation on the unbridled savagery of war, agreed upon and adhered to by states, marks an advance in social self-control. The Geneva Conference confined its labors to improving the regulations intended to alleviate the sufferings of combatants on land, though in so doing, it aimed to facilitate, as far as possible, their adaptation to sea warfare which, it was expected, would be undertaken by the present Hague Conference.

The Code of Land Warfare drafted by the Hague Conference of 1899 has been mentioned. The present Conference, in considering the adaptation of its provisions to naval warfare, must discuss the two or three remaining questions expressly enumerated in the Russian program—*viz.*, naval bombardment and exemption of merchant ships and cargoes (not contraband) of the enemy from confiscation at sea throughout war or for some "days of grace" after the opening of hostilities. These questions are subjects of decided differences of opinion and of profound importance to the non-combatant population of warring states.

The bombardment of undefended coast towns was charged against both the Russian and Japanese fleets in the late war, though no serious damage appears to have been done. Few occasions have been offered in recent wars for such bombardments, but the permissibility of it under the annihilating cannonade of the modern warship has brought forth a variety of views. The Code of Land Warfare

unreservedly prohibits the bombardment of undefended towns. At the last Hague Conference, when it was proposed to extend the prohibition to bombardments from the water as well as from the land, opposition arose, and the Conference confined its action to expressing "the wish that the proposal. . . be referred to a subsequent conference for consideration."

The subject of exempting from capture the private property of the enemy at sea, except contraband, was brought up at the former Hague Conference by the American delegation, and advocated as "a policy adopted by the United States in the first days of its existence and earnestly urged ever since." The Conference, in deciding that the subject was not within the scope of its program, expressed the wish that the proposal might be referred to a subsequent Conference for consideration. The subject has many aspects. On one side it seems to accord with the present humanitarian tendency of warfare to confine the devastation as much as possible and elevate the inevitable struggles between states to the plane of duel-like combats between their regularly constituted military and naval forces. On the other hand, the humanitarian reason which exempts non-combatant property on land from unnecessary devastation is largely lacking as respects such property at sea. The confiscation of property at sea does not bring horror to helpless women and children or mutilate the rarest treasures of civilization. It does mean loss and embarrassment to the merchant classes, but this fact operates to secure their powerful influence against heedlessly launching the state into war.

Just what the effect of the repeal of the present practice would be on the warlike interests of the various states is extremely problematical. Great Britain, with the wealthiest merchant marine of all the states and the most powerful navy, has always opposed the change, believing that she could effectively protect her own traders

at sea and so harass those of any enemy that they would cause their government to sue for an earlier peace. Some Englishmen are dubious about the advantages of the present practice to British interests. They question whether the depredations on commerce are likely to accrue more to the benefit of Great Britain than to that of her enemies, and thus materially affect the issue of any struggle. They show how dependent England is on supplies from over the sea; how, with food stuffs and raw materials normally on hand for only five or six weeks, a combination of the powerful navies might imperil British trade and cause the price of freights, insurance, seamen's wages, foods and raw materials so to rise that an industrial panic would compel, the British Government to seek a humiliating peace. They point out, further, the change of conditions brought about by the Declaration of Paris in 1856, which exempts from capture neutral goods aboard enemy's ships and enemy's goods aboard neutral ships. They think that the effect of a prolonged naval war would be to drive British trade and merchant ships under neutral flags. Germany, with a large merchant marine and a strong navy, has hesitated to take sides on the proposal, being unable to foresee which side would be to her material interests. Holland and other countries, likely to profit as neutrals, have shown a disposition to forego this possible advantage in the interests of the humanitarian aspects of the change and what some have denominated "a proper development of international law." It has been urged that the exemption of private property from capture at sea would have the effect of removing somewhat the stimulus to further increase naval armaments.

The question of the number of "days of grace," or length of time at the outbreak of war during which the hostile merchant ships on the high seas and in hostile and neutral ports may enjoy exemption from confiscation at sea, if not settled by

the adoption of the larger proposal to exempt private property at sea, should, in the interest of justice and commercial security, be definitely agreed upon by the Conference. The indulgent practice of warring states has varied from six weeks' exemption to two days'. The United States in the war with Spain proclaimed thirty days during which Spanish merchant ships in its ports might load their cargoes and depart with immunity for their return voyage. It also gave exemption for both the incoming and outgoing voyage of Spanish ships and cargoes which had already sailed for United States ports at the outbreak of war. In the late war, Russia allowed Japanese ships in her ports two days during which to depart and Japan permitted seven "days of grace" to Russian ships. The practice is of modern development.

From what has been said, it will be seen that the program of the Second Hague Conference, notwithstanding the Muscovite relish thrown in here and there, permits the delegates to take up a vast amount of important work. Whether the understanding to exclude all "questions which do not directly come within the program" will operate to prevent the present Conference from fixing a time for the periodical convening of future Conferences and from devising a plan for the preparation of the program, or "order of business," of such Conferences is uncertain. Both matters should be provided for. Anything which gives definiteness to international arrangements is of advantage educationally and in tending to eliminate the possibilities of national jealousies and suspicions. It has been suggested that educationally it might be an advantage to have the Conferences peripatetic, meeting first in one country and then another. The gift of a large sum of money for a building, to be located at The Hague, to house the International Arbitration Tribunals established from time to time, the library and other necessary offices, has probably eliminated such a possibility—if there was anything in the

suggestion. The association of an idea with a definite place has popular educational value. For the first time in history, there is something concrete associated with the idea of international law.

In considering what are likely to be the definite achievements of an International Conference, one must not forget that the work of such a meeting is largely determined by the uncertain element which operates in all legislative congresses—namely, the personal influence and force of particular individuals. Progress in such matters is not the resultant of impersonal forces, like public opinion, etc., unless the representatives are convinced that there exists a definite public conviction which they are expected to register. To exert positive personal influence in an International Conference, a delegate must be a man of unusual ability, equipped not only in the languages and socially, but with a ripe experience in international affairs and with public men. It is probably not too much to say that it was largely the personal influence of Dr. Andrew D. White, the President of the American Delegation, which brought about the unanimous agreement of the states at the last Hague Conference to establish the Permanent Court of International Arbitration.

Several agencies are at work in the United States striving more or less directly to cultivate a public conviction in favor of peace, arbitration and international law. They seek to strengthen the hands of the authorities and make it possible for our Government to take the advanced ground in these matters, which its isolation from Europe and greatness as a nation may enable it to take in international transactions, provided only that the mass of American people possess the disposition and will to adjust international disputes, however aggravated, without recourse to the threat or the use of force. One of the most potent and sensible agencies is the annual conference at Lake Mohonk of men of all opinions and interests. There are also several

peace societies. The Interparliamentary Union—a voluntary organization of the legislators of the various countries, has an American membership of some two hundred Members of Congress. Efforts are being made in the schools, colleges, labor unions, boards of trade, churches, women's societies and other organizations to stimulate interest in the subject. Work is being carried on to establish monuments and holidays which com-

memorate the achievements of peace as well as those of war. All this educational activity is most important because, to a degree, on its success depends the development of a public conviction in favor of "the peace of international justice." Perhaps the greatest object of civilization is to eliminate the brutalities of the struggle for life by inculcating common standards of justice and the disposition to do what is fair.

THE PERMANENCE OF POETIC DRAMA: AN INQUIRY

By JESSIE B. RITTENHOUSE



THE dramatic microscope, which has infected the producers of literature in so virulent a form, has found, apparently, one of its most favorable cultures in modern poetry, and in every quarter which the muses frequent, "the play's the thing."

Doubtless the success of Stephen Phillips and of Rostand in reviving an art so long abashed into silence by the overmastering genius of Shakespeare, is responsible for the ambition on the part of our own poets to share in the renaissance which seems to be imminent, an ambition which leads one to question how far it is likely to succeed in individual cases and what the outlook may be for poetic drama, as compared with other forms of poetry.

In any consideration of the subject Shakespeare must, in justice to either side of the argument, be exempt at the outset—we do not call into comparison the sun and the stars; but Shakespeare aside, what does the fate of his confrères of the Elizabethan period argue as to the permanence of poetic drama and its relative place in literature.

Marlowe is, of course, from the poetic standpoint, the most important Elizabethan influence next to Shakespeare, and his ardent, sumptuous music, with its luxurious fantasy, must have kept itself current had it been in any other form; but Marlowe's work as drama lacks structural unity, convincing characterization—as Lowell points out, his characters are but personages and interlocutors—and, above all, it lacks concentration and sustained development of action.

Had Marlowe turned his bourgeois fancy into the lyric—as he once so magically proved that he could do—his pictorial imagery, his multi-colored diction, into the narrative, ballad or epic,—he would not now be lost to all but special students of old English drama; for who, outside the college curriculum or the scholar's study, reads "Faustus," "Tamburlaine," "Edward the Second" or "The Jew of Malta"? and of his "mighty lines" what familiar echo remains save the query,

Was this the face that launched a thousand ships
And burned the topless towers of Ilium?

On the contrary, who has not at his tongue's end the plea of the "Pas-

sionate Shepherd," "Come live with me and be my love"? Is it likely that Marlowe's gay fellows, hearing these lines recited in the taproom, fancied that succeeding generations would hold them as classic when "Faustus" had become but a name? And yet the lyric, so brief, so exquisite, an epitome of pastoral romance, has come singing down the ages, while the mighty lines, acclaimed by all England, are lost to all but the profounder student of dramatic history.

Beaumont and Fletcher, gentlemen and scholars, with their tempered melancholy, their lightsome felicity; Ford, with his specious pathos, his voluble heartbreak; Massinger, seldom daring the heights but refreshing the lowlands with feeling; and that earlier and less important group, Nash, Lodge, Peele, Greene and Lyly,—all have suffered the same eclipse, so that their finer distinctions and relative merits are known only to the critic of drama.

Two lines of Sephestia's song to her child,

Weep not, my wanton, smile upon my knee!
When thou art old, there 's grief enough
for thee,

because of their music and their smile and sigh, keep alive the memory of Greene, who in the arrogance of his own day called Shakespeare "an upstart crow, beautified with our feathers."

Lodge is known for his merry, amorous lyric, "Rosalyn's Madrigal"; "rare Ben Jonson," whose plays were so applauded by his generation, is passed on in the toast,

Drink to me only with thine eyes,
And I will pledge with mine;

while Chapman lives, not by his dramas, but by his translation of Homer.

Even Webster, impressive in his apotheosis of horror, and capable of such fine, if archaic, lines as these,

I cannot set myself so many fathoms
Beneath the height of my true heart as
fear,

is withdrawn as to the farthest shades from the reading world of this century; for who but the special critic of early English drama turns aside from the insistence of greater and more accessible art to search the pages of "The Duchess of Malfy" or "The White Devil"? There is no doubt that Webster, for the acting quality of his plays, their comparative modernity of structure and force and compression of line, remains an influence on poetic drama and is closely studied by critics of dramatic form, but as literature, aside from such technical study, its value is lost.

But if seventeenth-century poetic drama is perpetuated almost wholly by the fine body of criticism it has evoked, especially that of Lamb, Coleridge, Symonds and Swinburne, lyric poetry of that period was never more enjoyed than now, never more jealously preserved and delighted in. Not one spontaneous, bubbling note of that unpremeditated art has time let pass, and if but once the singer struck this charmed, unconscious note, he gained thereby an immortality. Wither, Crashaw, Campion, Lovelace, Herrick, Waller, Suckling, and all the others who poured their exuberant souls into the unstudied melody of English verse, have a surety of remembrance denied to greater men who gave their genius to the drama.

Of the later poets, Dryden spent his life in poetic drama, producing highly successful plays, the stage events of his day, but they have vanished like the snows of yesteryear; even "Don Sebastian," reckoned a marvel of stagecraft and a literary triumph, is less than a name to this generation. A lifetime of voluminous dramatic work is swept away, while certain odes—or one may lessen it to the "Ode for St. Cecilia's Day" and "Alexander's Feast," which, with their metrical originality and freedom and rarely consonant diction, have Dryden's fame in their keeping. Where now are the readers of Addison's "Cato," after Dryden's work the most successful poetic drama of

the eighteenth century? The school-boy declaims its famous soliloquy, but its suave lines, its fine, sonorous periods,—who now turns back to the old play to enjoy them?

The nineteenth century had few poets who did not essay the dramatic form, Byron among the earliest; but with the exception of "Manfred" and "Cain," and these purely from a literary standpoint, his dramas are neither read nor considered in an estimate of his work. "Cain" has powerful passages which in his own day were sufficiently heretical to cause Murray to make one of his periodic flights to the country, but we have long since overtaken its utmost audacity. Its subject precluded its acting, but Byron had no thought of it as other than a closet drama, nor had he of any work of his in this form, though "Marino Faliero" was put upon the boards of Drury Lane Theatre without his consent, and was speedily overtaken by the worst that could befall it.

In Byron's conversations with Medwin he delivers himself in no uncertain terms upon the subject of a poet's writing for the stage. He had, before leaving England, it will be remembered, been made literary manager of the Drury Lane Theatre, and retained the office for a year, during which time five hundred dramas, many of them in verse, passed through his hands. What more could be needed to disillusion the most radical optimist! and we are not surprised to find him saying to Medwin:

Who would condescend to the drudgery of the stage and enslave himself to the humors, the caprices, the taste or tastelessness of the age? Besides, one must write for particular actors, have them constantly in one's eye, sacrifice character to the personating of it, cringe to some favorite of the public, neither give him too many nor too few lines to spout; think how he would mouth such and such a sentence, look such and such a passion, strut such and such a scene. Who, I say, would submit to all this?

"Manfred" is a superb piece of

psychology, and has undoubtedly the strongest and most sustained thinking to be found in Byron's work; but he was careful to designate it as a dramatic poem, that it might be understood he had no end in view but the analysis of a soul in conflict with its own nature and the spiritual powers of the universe. As a drama it is formless and incoherent, having no plot, but rather a series of impassioned soliloquies and magically beautiful descriptions, such as that retrospect of the Coliseum by moonlight, which illumines its arches for all time. "Manfred" is but a glorious fragment, not to be taken as drama either in execution or intent; nor is "Cain," though having more dramatic unity; and it is certain that Byron's other dramas, even in their own day, were not regarded as influences in his work.

With Shelley there can be no question as to the work upon which his ever-growing fame rests. It is not "The Cenci," that superlative analysis of horror—though it has great dramatic power and aside from its revolting subject would be moving and effective as a stage drama. The characterization might be called into account, the heinousness of Cenci himself is perhaps too crassly portrayed, and one may question the consistency of Beatrice's attempts at concealment—would she not have gloried in confession as the best exoneration? Nevertheless, "The Cenci" is an admirably executed play, but too repulsive in subject either for the stage or for literature. It will live, for the sheer recognition of its power, but rather as a feat than as a representative expression of the poet.

"Prometheus Unbound" is essentially Shelleian, a great mould for the fiery eruption of Shelley's spirit; but it is a spiritual masque, not a drama, and its distinctive work is almost wholly lyrical. It is not the Prometheus, however, which best reveals Shelley, but "Adonais," that noblest elegy; "The Ode to the West Wind"—the consummation of his

art; the "Lines Written in Dejection near Naples," the "Indian Serenade," "night," and all that intimate body of verse in which Shelley wrapt his vital, quivering spirit.

Tennyson? One need only mention "Harold" and "Becket" in the same breath with "Maud," "In Memoriam," and the lyric interpolations of "The Princess," to assume the point proven. "The Princess" itself is wholly artificial, but "Tears, idle tears," "Home they brought her warrior dead," and its other flawless lyrics, will sparkle on the stretched forefinger of all time when the very names of Tennyson's dramas are forgotten.

With Browning, last and greatest of the nineteenth century poets to employ the dramatic form, we are perhaps too near for a retrospective focus. We are eager to get at his meaning, his spiritual truth for ourselves. We search his every creation as if for the word of life; and whether he lead us to the sands where Caliban stirs in restless foreknowledge of the spirit of man, to the tent of Saul, or to that chamber where a soul is convicted by a child's song as Pippa Passes, we follow as gladly and eagerly.

So various are the forms which Browning employed that a relative analysis of his mastery in them would be impossible in the space at command; nor does it import, the only consideration being the probable permanence of his dramas as compared with his other forms. There is no doubt that "Pippa Passes" will outlive Browning's other essays in drama, though "In a Balcony" is structurally finer, more intense and vivid in characterization; in short, a far more organic work dramatically. Why, then, is "Pippa Passes" likely to outlive it? For the sheer poetry it contains, its lyric transport, its colorful, ardent beauty. Not by virtue of its dramatic character but despite it, for "Pippa Passes," as its recent presentation so convincingly proved, lacks the movement, the sustained unity of action, necessary to the stage.

"A Blot in the 'Scutcheon," aside from the dramatic form, cannot stand with Browning's other work, because of the confusion of its ethics. The spiritual motive is too vaguely defined; the expiring lover's declaration throws no palliating light upon the crime, nothing to cause the brother to die of remorse at his misjudgment of the pair. It is wholly unconvincing spiritually, for even spiritual judgment must justify itself. But one may not stop to analyze Browning's code of ethics nor his lesser dramas; the very fact that he forsook the dramatic form, that he could not express in it his impassioned individuality, is one of the strongest arguments that could possibly be advanced for the more representative character of his later work.

The dramatic monologue furnished him a compromise, and a more flexible medium for the expression of his personality, for Browning is Browning in all his monologues, however he name them; but while one cannot dismember Browning's work—for a unity of philosophy pervades it—cannot set one form absolutely aloof from another, the most extravagant lover of drama would scarcely claim that his dramatic work, taken as a whole, can rank with his best expression in other mediums.

If the retrospect would seem to prove that with the exception of Shakespeare—the inevitable exception—English poets have found their immortality in other forms they may have employed, rather than the drama (and a more critical study of the matter than is possible here would strengthen the statement) the drama is, then, except in the hands of so supreme a master, a less permanent form of poetic art than its fellows; and the reason is obvious. It is not written primarily for reading, or was not at the outset, though modern poetic drama, with rare exceptions, has no other end.

The fundamental difficulty of choosing a theme at once poetic and dramatic—a theme having inherent

beauty and susceptible of poetic development and yet impassioned and vital—is so great that many who essay the form do not surmount it; and when such a theme is found there follows the greater difficulty of making the poet the ally, nay, the servant, of the dramatist, that he may not be enticed too far by a seductive fancy. If the drama be written with the poet uppermost, rather than the playwright, it is likely to come under dramatic indictment for over-elaboration and ornateness, for fancy may not bourgeois now in flowery periods as in the days of Marlowe. One line too much, one image intruded for its own felicity, breaks the orbing suspense of a passage whose sole legitimate purpose is to carry on the action. On the contrary, if the dialogue be too succinct, or divested too much of imaginative phrase, it will lack the poetic elevation which alone justifies the form. Only one born to the art may walk safely between these pitfalls.

Into the first, Stephen Phillips* has fallen, and by virtue of his inflated and over-poetized style is less great as a dramatist and less likely to outlive the fad-period of his popularity. Indeed it may be questioned whether, dramatically, Stephen Phillips is making good; whether "Ulysses," "The Sin of David" or "Nero" has the convincing power of "Herod" and whether, as a poet, he has equalled his first achievement. "Paolo and Francesca" remains the most finished and exquisite work of his pen, and that because of its artistic inhibition, its reliance upon the compelling power of the sad, sweet story itself, rather than any spectacular accessories with which he might invest it.

Each year adds plays to Mr. Phillips's list of published works, but it is a question whether future generations will sift his dramatic granary for the intrinsic beauty or truth he might have given them in more accessible

form. When each in turn is relegated to the limbo of last year's plays, or, looking farther, when their publication has ceased to be a contemporary event, will they hold as literature, will they keep alive Phillips's name as the same poetic gifts embodied in other forms would do? If, indeed, Mr. Phillips is chiefly concerned with the acting success of his dramas, that is another matter; nor would one willingly part with certain of his plays, for their rare poetic beauty; but one could wish him to bestow a modicum of his productivity upon those forms of poetry of more universal appeal than the drama.

The case of Richard Hovey* well illustrates the point in question. In a Foreword to "The Marriage of Guenevere" he dwelt upon the story-loving proclivities of human nature and projected his work in drama upon this assumption. In "Taliesin," last of his trilogy, there are such reaches of song as Hovey rarely attained elsewhere; but because of their setting, because humanity does *not* so much love a story as it loves the free flight of song, the fine poetry of "Taliesin" is comparatively little known, while Hovey's fame rests, not upon his dramas, admirable work as they contain, but upon his odes, his sonnets, his lyrics, found in his collection "Along the Trail" and in the "Songs from Vagabondia." One may feel that this is unjust to Hovey's memory, that if "Taliesin" contains, in the main, finer work than he has done elsewhere, it should chiefly perpetuate his name; but already the reading public decrees otherwise. The Vagabondia books, which contain, as all know, admirable poetry aside from the Bohemian sort, pass constantly through new editions, while "Taliesin" and the other dramas remain upon the publisher's shelves.

One does not justify this condition, but simply points it out. A fact may be deplorable, but still a fact. If it were merely the average reader who

* Paolo and Francesca. Herod. Ulysses. The Sin of David. Nero. By Stephen Phillips. The Macmillan Co.

* The Marriage of Guenevere. The Birth of Galahad. Taliesin. By Richard Hovey. Small, Maynard & Co.

confessed unfamiliarity with Hovey's dramas it would not be significant—one expects the lay mind to love lyrical expression above more complicated forms; but when cultivated readers and even critics and poets who, presumably, follow closely the course of modern literature, are ignorant of his dramas and estimate him wholly by his lyrics and sonnets, it is perhaps as conclusive proof as one needs that a poet removes himself not only from the people but, to a great degree, from more cultivated lovers of poetry, by the dramatic form. When Hovey's dramas appeared they received as generous recognition as contemporary poetic dramas are now receiving, but a period of less than ten years has retired them from current circulation.

Of our present-day poets, William Vaughn Moody,* whose "Ode in Time of Hesitation" and other songs at the outset betokened the prophet gift, would seem, in his later work, deliberately to put himself out of touch with his time and out of sympathy with his readers, by his themes and his form. Though Mr. Moody has demonstrated that he can write a prose drama of moving quality, "The Fire Bringer," his Promethean masque, is heavy and formless and, aside from its lyrics and occasional passages, lacks the emotional fusion, the identity of theme and treatment, necessary to compel one's interest. But while, to enkindle his dialogue, the poet steals no fire from on high in his fennel stalk, scattered through its pages are such inspiring and beautiful lyrics as that beginning,

From wounds and sore defeat
I made my battle stay,
Winged sandals for my feet
I wove of my delay—

and the exquisite Pandora songs, so delicate, so passionate!

Mr. Moody is a poet by every sign and seal, combining, as he does, ardor, spirituality, artistic compression, and forthright ease of music; but it is

to be deplored that he is spending his best creative years attempting to revitalize legends like that of Prometheus, which have lost all enkindling power, when life is quick with impulses which await the shaping of art. Such a poem as "Gloucester Moors" has more of inspiration and beauty than is contained in the dialogue of "The Fire Bringer," with the exception of a few memorable passages. To be sure, "The Fire Bringer" is not a drama proper, but a masque, and cannot be held to the standard of technique demanded of an acting play; but virtue has gone from the theme itself and a creative poet should find more vital material for his art.

But while the masque form, and other poem-plays avowed as closet drama, may be exempt from too close scrutiny on the dramatic side, when a poet projects his work in an elaborate stage form it should live and move and convince, both poetically and dramatically, which, with a few exceptions, and those not absolute, our own poetic drama has not yet done.

Of these exceptions, Percy Mackaye's "Jeanne D'Arc,"* recently presented, is worthy of note. In attempting to unify all the historical, traditional and supernatural data associated with the story, and render it dramatically coherent and effective, Mr. Mackaye undertook what a sceptic would have foredoomed as impracticable, if not impossible; but the sceptic usually finds himself discomfited, and while Mr. Mackaye has not succeeded in fusing this mass of material into a wholly organic drama, he has succeeded much more nearly in doing so than would have seemed probable at the outset. Although the play is rather a series of incidents than a closely welded drama, the story itself is so impressive, so full of beauty and elevation, and Mr. Mackaye has so emphasized these phases in his treatment, that what it loses in rapidity and continuity of action it gains in

* The Fire Bringer. By William Vaughn Moody. Houghton, Mifflin & Co.

* Jeanne D'Arc. By Percy Mackaye. The Macmillan Co.

dignity and spiritual power. The dialogue, too, while rendered heavy in places by the historical detail necessary to interpret the action, is, in the main, clear cut and frequently of great beauty of phrase, as Jeanne's soliloquy at the Ladies' Tree, beginning,

How happily doth all the world go home;
her exclamation before Troyes, when
they seek to discredit her,

To build and build and build on running
sands—

How terrible it must be to be God!

or the words of D'Alencon,

For there 's no pang, 'mongst all our mortal
hurts,

Sharp as the vivisection of a dream.

Such a work as Mr. Mackaye's, despite a certain lack of dramatic coalition, apparent in its stage presentation, belongs to the affirmative forces, as does the finer poetic work of Olive Tilford Dargan,* whose pages are suffused with color and imagery and whose blank verse has all the flexibility, freedom and melodic impulse of a lyric. Mrs. Dargan's dramas have always a compelling interest and one is held to their development as to an unfolding story; nevertheless he cannot be unconscious of certain defects of plot. A drama is not a story, but life portrayed in action. "The Siege" is illogical and confused both in construction and ethics, and even "Lords and Lovers," a far more finished work, seems to me to misconceive several points and to make less effective use of its dramatic material than it might. The revelation of the relationship of Glaia to her lover, which is the vital point of the drama, should have been made the supreme scene and witnessed by the audience, instead of being disclosed after her death when its dramatic effectiveness is lost. Also Lady Albemarle, the mother, should have suffered the penalty of exposure for the moral cowardice of her life,

rather than allowed to escape all by a convenient death. Life is inexorable and rarely lets the offender go hence till he has paid the utmost farthing. The denouement of "Lords and Lovers" is a strange retroversion in dramatic power from the earlier work of the play.

Mrs. Dargan's great strength lies in the personality with which she invests her characters and in her remarkable command of blank verse. It is Elizabethan in mood and diction and this, if anything, will arbitrate against its permanence; but it is a sympathetic transfusion rather than an imitation, and does not detract from the individuality of the poet's gifts.

Wholly different in style and temperament is Ridgely Torrence,* whose "Abelard and Heloise" has recently been issued and whose "El Dorado" of some years ago was generously received. Mr. Torrence has neither the note nor the atmosphere of the Elizabethans; indeed, one could scarcely imagine a farther cry than from the sonorous, colorful, perfervid verse of the early dramatists to the poised, restrained mood of "Abelard and Heloise." Actably, the play does not move with the swift impulse one might expect from its theme. The passion is too subtle, too psychological, to externalize itself in a rapidly moving drama, but it is the passion in which the sorrow of the world is met, the immemorial sorrow, renunciation, which must go softly all its days. Mr. Torrence has made the fateful story a searching spiritual study, rather than a portrayal of elemental passion. His treatment of it is a surprise to one having only in mind its primary incidents; but, while the character of Heloise seems illogical and there are certain points in the conception of the plot which might be challenged, as poetry it is full of exquisite passages and has the choice, uncommon beauty, the distinction, of Mr. Torrence's art. One finds himself questioning, how-

* *Lords and Lovers, and Other Dramas.* By Olive Tilford Dargan. Scribner.

* *Abelard and Heloise.* By Ridgely Torrence. Scribner.

ever, whether such a poem as "The Lesser Children" does not reveal a more temperamental and authentic gift, and whether more frequent work in lyrical form would not win for Mr. Torrence's poetry a wider and more sympathetic reading than can be won in drama.

Miss Peabody's "Marlowe"* and her briefer plays, too well known to require detailed comment, are full of beautiful poetry and have certain strongly dramatic elements, but the fusion is not yet complete between the poetry and the action.

Arthur Upson's poem-drama, "The City,"† has an almost austere simplicity of phrase and elevation of mood; but its beauty is too abstract and remote for a compelling drama. The lyrics, however, which it contains are of rare quality both in form and feeling. Mr. Upson is a poet of a choice and original gift, whose work has a future. His "Octaves in an Oxford Garden" are wrought with so refined an artistry, and yet with such unconscious ease, as to delight any one sensitive to the subtler charm of poetry. What Mr. Upson may do in drama is too early to predict, but his gifts in other forms are unmistakable.

Among the recent group of dramatic poets, Mr. Cale Young Rice, whose volume of "Plays and Lyrics" was issued last season and whose "Night in Avignon" is just from the press, has done excellent work, particularly worthy of comment on its architectonic side.‡ Mr. Rice has an instinctive sense of dramatic relations; his dramas move by first intent and the unity of word and action is admirably maintained. His work is not without its immaturities, such as appear in certain features of the denouement of "Yolanda of Cyprus." Taken as a whole, however, this is one of his strongest plays, though "A Night in Avignon" has a peculiar charm of

phrase and atmosphere and an idealistic motive.

The work of Newman Howard which has but lately made its way to us, though published first some years ago in England, evinces a dramatic talent of a high order, but a talent not yet wholly disciplined. His earlier work, "Kiartan, the Iclander,"* has as its subsidiary *motif* the introduction of Christianity into Iceland; but, from a lack of incisive treatment, this tends rather to confuse the action than to focalize it, and the play would, I think, have been stronger and more clearly defined had the motive been vested solely in the tragedy which it presents. In the type of Kiartan, however, Mr. Howard has a luminous character study and one finds himself dwelling upon the final words of this Iceland hero,

Brother, by your hand liefer I were slain,
Than bid you die by mine,

as upon some fine passage of Scripture. The closing lines of the play, spoken by the blind skald, Liot, over the body of Kiartan, though tending to the rhetorical, reach at the climax a true height of beauty and impressiveness.

In "Savonarola," Mr. Howard's more recent drama, the lack of sharp definition in the plot and dialogue is much more apparent than in "Kiartan," since all the rival factions and orders, civil and religious, of that turbulent period are represented in the play and by their machinations so involve the plot that it is difficult to keep the various characters and their allegiance distinct. The romance, too, which Mr. Howard has woven about the sombre figure of the Frate, seems wholly extraneous to his character and tradition. But while the love element of the play comes tardy off, the interest is not dependent upon this element but centres in the public career of the Frate, the dramatic incident of the Trial by Fire, and the tragic spectacle of the Execution.

* Marlowe. By Josephine Preston Peabody. Houghton, Mifflin & Co.

† The City. A Poem-drama. By Arthur Upson. The Macmillan Co.

‡ Plays and Lyrics. A Night in Avignon. By Cale Young Rice. McClure, Phillips & Co.

* Kiartan, the Iclander. Savonarola: A City's Tragedy. By Newman Howard. E. P. Dutton & Co.

Strangely enough, however, these two events, coming so near together in the drama and each having so similar a setting, neutralize each other from a dramatic standpoint, so that the great climax of the Execution loses its effectiveness because the Trial by Fire has already brought together the same concourse, in the same place, been portrayed in much the same manner, and exhausted both the compassion and vindictiveness of the spectators. Either of these scenes, alone, would be highly impressive, but the law of dramatic proportion is violated and the second rendered ineffectual by the first.

Despite these strictures, Mr. Howard's drama is by no means a negative achievement: the finesse shown in the factional intrigues is ingenious, the verse has both poise and finish, and the majestic character of Savonarola irradiates the whole with a spiritual light.

There is not space, however, to analyze the dramatic productions of contemporary poets. Rostand and Stephen Phillips have proven that poetic drama may make a complete success upon the modern stage.

There is no reason to challenge the ability of our own poets to write

actable plays when they shall have trained their hand to the art. It is the drama as a reading form that one questions, and its permanence as literature. If a poet possess the ability to write successful plays for the stage it is a different consideration from the spending of wan years in the production of closet drama, which, in these modern days, with rare exceptions, does not outlast in current knowledge five years of its publication. One of these exceptions is, of course, the work of Yeats, whose "Land of Heart's Desire" is a bit of art to dream over, in its exquisite simplicity and Celtic magic.

Of the old English drama, new editions come faithfully down for the intimate student of the form or of the special period which produced it, just as the literature of every period is preserved for its value in the evolution of literature as a whole; but poetry in its nobler and vaster ends is for the people as well as the elect, and by the "people" one does not mean the uncultivated masses, but that vast public to whom Wordsworth, Shelley, Keats and Browning, for example, are vital influences when the old English dramatists are but names.

THE BOOK OF JOB

AN INTRODUCTION

By G. K. CHESTERTON



THE Book of Job is among the other Old Testament books both a philosophical riddle and a historical riddle. It is the philosophical riddle that concerns us at the moment; so we may dismiss first the few words of general explanation or warning which should be said about the historical aspect. Controversy has long raged about which parts of this epic belong to its original scheme and

which are interpolations of considerably later date. The doctors disagree, as it is the business of doctors to do; but upon the whole the trend of investigation has always been in the direction of maintaining that the parts interpolated, if any, were the prose prologue and epilogue and possibly the speech of the young man who comes in with an apology at the end.

I do not profess to be competent to decide such questions. But whatever decision the reader may come to concerning them, there is a general truth to be remembered in this con-

nection. When you deal with any ancient artistic creation, do not suppose that it is anything against it that it grew gradually. The Book of Job may have grown gradually, just as Westminster Abbey grew gradually. But the people who made the old folk poetry, like the people who made Westminster Abbey, did not attach that importance to the actual date and the actual author, that importance which is entirely the creation of the almost insane individualism of modern times. We may put aside the case of Job, as one complicated with religious difficulties, and take any other, say the case of the Iliad. Many people have maintained the characteristic formula of modern scepticism, that Homer was not written by Homer, but by another person of the same name. Just in the same way many have maintained that Moses was not Moses but another person called Moses. But the thing really to be remembered in the matter of the Iliad is that if other people did interpolate the passages, the thing did not create the same sense of shock that would be created by such proceedings in these individualistic times. The creation of the tribal epic was to some extent regarded as a tribal work, like the building of the tribal temple. Believe then, if you will, that the prologue of Job and the epilogue and the speech of Elihu are things inserted after the original work was composed. But do not suppose that such insertions have that obvious and spurious character which would belong to any insertions in a modern individualistic book. Do not regard the insertions as you would regard a chapter in George Meredith which you afterwards found had not been written by George Meredith, or half a scene in Ibsen which you found had been cunningly sneaked in by Mr. William Archer. Remember that this old world, which made these old poems like the Iliad and Job, always kept the tradition of what it was making. A man could almost leave

a poem to his son to be finished as he would have finished it, just as a man could leave a field to his son to be reaped as he would have reaped it. What is called Homeric unity may be a fact or not. The Iliad may have been written by one man. It may have been written by a hundred men. But let us remember that there was more unity in those times in a hundred men than there is unity now in one man. Then a city was like one man. Now one man is like a city in civil war.

Without going, therefore, into questions of unity as understood by the scholars, we may say of the scholarly riddle that the book has unity in the sense that all great traditional creations have unity; in the sense that Canterbury Cathedral has unity. And the same is broadly true of what I have called the philosophical riddle. There is a real sense in which the Book of Job stands apart from most of the books included in the canon of the Old Testament. But here again those are wrong who insist on the entire absence of unity. Those are wrong who maintain that the Old Testament is a mere loose library; that it has no consistency or aim. Whether the result was achieved by some supernal spiritual truth, or by a steady national tradition, or merely by an ingenious selection in after times, the books of the Old Testament have a quite perceptible unity. To attempt to understand the Old Testament without realizing this main idea is as absurd as it would be to study one of Shakespeare's plays without realizing that the author of them had any philosophical object at all. It is as if a man were to read the history of Hamlet, Prince of Denmark, thinking all the time that he was reading what really purported to be the history of an old Danish pirate prince. Such a reader would not realize at all that Hamlet's procrastination was on the part of the poet intentional. He would merely say, "How long Shakespeare's hero does take to kill his enemy!" So speak the Bible smashers, who are

unfortunately always at bottom Bible worshippers. They do not understand the special tone and intention of the Old Testament; they do not understand its main idea, which is the idea of all men being merely the instruments of a higher power.

Those, for instance, who complain of the atrocities and treacheries of the judges and prophets of Israel have really got a notion in their head that has nothing to do with the subject. They are too Christian. They are reading back into the pre-Christian scriptures a purely Christian idea—the idea of saints, the idea that the chief instruments of God are very particularly good men. This is a deeper, a more daring, and a more interesting idea than the old Jewish one. It is the idea that innocence has about it something terrible which in the long run makes and re-makes empires and the world. But the Old Testament idea was much more what may be called the common-sense idea, that strength is strength, that cunning is cunning, that worldly success is worldly success, and that Jehovah uses these things for His own ultimate purpose, just as He uses natural forces or physical elements. He uses the strength of a hero as He uses that of a Mammoth—without any particular respect for the Mammoth. I cannot comprehend how it is that so many simple-minded sceptics have read such stories as the fraud of Jacob and supposed that the man who wrote it (whoever he was) did not know that Jacob was a sneak just as well as we do. The primeval human sense of honor does not change so much as that. But these simple-minded sceptics are, like the majority of modern sceptics, Christians. They fancy that the patriarchs must be meant for patterns; they fancy that Jacob was being set up as some kind of saint; and in that case I do not wonder that they are a little startled. That is not the atmosphere of the Old Testament at all. The heroes of the Old Testament are not the sons of God, but the slaves of God, gigantic and

terrible slaves, like the genie, who were the slaves of Aladdin.

The central idea of the great part of the Old Testament may be called the idea of the loneliness of God. God is not only the chief character of the Old Testament; God is properly the only character in the Old Testament. Compared with His clearness of purpose all the other wills are heavy and automatic, like those of animals; compared with His actuality all the sons of flesh are shadows. Again and again the note is struck, "With whom hath he taken counsel?" "I have trodden the wine-press alone, and of the peoples there was no man with me." All the patriarchs and prophets are merely His tools or weapons; for the Lord is a man of war. He uses Joshua like an axe or Moses like a measuring-rod. For Him Samson is only a sword and Isaiah a trumpet. The saints of Christianity are supposed to be like God, to be, as it were, little statuettes of Him. The Old Testament hero is no more supposed to be of the same nature as God than a saw or a hammer is supposed to be of the same shape as the carpenter. This is the main key and characteristic of the Hebrew scriptures as a whole. There are, indeed, in those scriptures innumerable instances of the sort of rugged humor, keen emotion and powerful individuality which are never wanting in great primitive prose and poetry. Nevertheless, the main characteristic remains: the sense, not merely that God is stronger than man, not merely that God is more secret than man, but that He means more, that He knows better what He is doing, that compared to Him we have something of the vagueness, the unreason and the vagrancy of the beasts that perish. "It is he that sitteth above the earth, and the inhabitants thereof are as grasshoppers." We might almost put it thus:—The book is so intent upon asserting the personality of God that it almost asserts the impersonality of man. Unless this gigantic cosmic brain has conceived a thing, that

thing is insecure and void; man has not enough tenacity to ensure its continuance. "Except the Lord build the house their labor is but lost that build it. Except the Lord keep the city the watchman watcheth but in vain."

Everywhere else, then, the Old Testament positively rejoices in the obliteration of man in comparison with the divine purpose. The Book of Job stands definitely alone because the Book of Job definitely asks: "But what is the purpose of God? Is it worth the sacrifice even of our miserable humanity? Of course it is easy enough to wipe out our own paltry wills for the sake of a will that is grander and kinder. But is it grander and kinder? Let God use His tools; let God break His tools. But what is He doing and what are they being broken for?" It is because of this question that we have to attack as a philosophical riddle the riddle of the Book of Job.

The present importance of the Book of Job cannot be expressed adequately even by saying that it is the most interesting of ancient books. We may almost say of the Book of Job that it is the most interesting of modern books. In truth, of course, neither of the two phrases covers the matter, because fundamental human religion and fundamental human irreligion are both at once old and new; philosophy is either eternal or it is not philosophy. The modern habit of saying "This is my opinion, but I may be wrong," is entirely irrational. If I say that it may be wrong I say that it is not my opinion. The modern habit of saying "Every man has a different philosophy; this is my philosophy and it suits me"—he habit of saying this is mere weak mindedness. A cosmic philosophy is not constructed to fit a man; a cosmic philosophy is constructed to fit a cosmos. A man can no more possess a private religion than he can possess a private sun and moon.

The first of the intellectual beauties of the Book of Job is that it is all

concerned with this desire to know the actuality; the desire to know what is, and not merely what seems. If moderns were writing the book we should probably find that Job and his comforters got on quite well together by the simple operation of referring their differences to what is called the temperament, saying that the comforters were by nature "optimists" and Job by nature a "pessimist." And they would be quite comfortable, as people can often be, for some time at least, by agreeing to say what is obviously untrue. For if the word "pessimist" means anything at all, then emphatically Job is not a pessimist. His case alone is sufficient to refute the modern absurdity of referring everything to physical temperament. Job does not in any sense look at life in a gloomy way. If wishing to be happy and being quite ready to be happy constitute an optimist, Job is an optimist. He is a perplexed optimist; he is an exasperated optimist; he is an outraged and insulted optimist. He wishes the universe to justify itself, not because he wishes it to be caught out, but because he really wishes it to be justified. He demands an explanation from God, but he does not do it at all in the spirit in which Hampden might demand an explanation from Charles I. He does it in the spirit in which a wife might demand an explanation from her husband whom she really respected. He remonstrates with his Maker because he is proud of his Maker. He even speaks of the Almighty as his enemy, but he never doubts, at the back of his mind, that his enemy has some kind of a case which he does not understand. In a fine and famous blasphemy he says, "Oh, that mine adversary had written a book!" It never really occurs to him that it could possibly be a bad book. He is anxious to be convinced—that is, he thinks that God could convince him. In short, we may say again that if the word optimist means anything (which I doubt) Job is an optimist. He shakes the pillars of the

world and strikes insanely at the heavens; he lashes the stars, but it is not to silence them: it is to make them speak.

In the same way we may speak of the official optimists, the comforters of Job. Again, if the word pessimist means anything (which I doubt) the comforters of Job may be called pessimists rather than optimists. All that they really believe is not that God is good, but that God is so strong that it is much more judicious to call Him good. It would be the exaggeration of censure to call them evolutionists; but they have something of the vital error of the evolutionary optimist. They will keep on saying that everything in the universe fits into everything else: as if there were anything comforting about a number of nasty things all fitting into each other. We shall see later how God in the great climax of the poem turns this particular argument altogether upside down.

When, at the end of the poem, God enters (somewhat abruptly), is struck the sudden and splendid note which makes the thing as great as it is. All the human beings through the story, and Job especially, have been asking questions of God. A more trivial poet would have made God enter in some sense or other in order to answer the questions. By a touch truly to be called inspired, when God enters, it is to ask a number more questions on His own account. In this drama of scepticism God himself takes up the rôle of sceptic. He does what all the great voices defending religion have always done. He does, for instance, what Socrates did. He turns rationalism against itself. He seems to say that if it comes to asking questions, He can ask some questions which will fling down and flatten out all conceivable human questioners. The poet by an exquisite intuition has made God ironically accept a kind of controversial equality with His accusers. He is willing to regard it as if it were a fair intellectual duel: "Gird up now thy loins like a man; for I will demand of thee, and answer

thou me." The Everlasting adopts an enormous and sardonic humility. He is quite willing to be prosecuted. He only asks for the right which every prosecuted person possesses: He asks to be allowed to cross-examine the witness for the prosecution. And He carries yet further the correctness of the legal parallel. For the first question, essentially speaking, which He asks of Job is the question that any criminal accused by Job would be most entitled to ask. He asks Job who he is. And Job, being a man of candid intellect, takes a little time to consider, and comes to the conclusion that he does not know.

This is the first great fact to notice about the speech of God, which is the culmination of the inquiry. It represents all human scepticisms routed by a higher scepticism. It is this method, used sometimes by supreme and sometimes by mediocre minds, that has ever since been the logical weapon of the true mystic. Socrates, as I have said, used it when he showed that if you only allowed him enough sophistry he could destroy all the sophists. Jesus Christ used it when He reminded the Sadducees, who could not imagine the nature of marriage in heaven, that if it came to that, they had not really imagined the nature of marriage at all. In the break-up of Christian theology in the eighteenth century, Butler used it, when he pointed out that rationalistic arguments could be used as much against vague religion as against doctrinal religion, as much against rationalist ethics as against Christian ethics. It is the root and reason of the fact that men who have religious faith have also philosophic doubt, like Cardinal Newman, Mr. Balfour or Mr. Mallock. These are the small streams of the delta; the Book of Job is the first great cataract that creates the river. In dealing with the arrogant asserter of doubt, it is not the right method to tell him to stop doubting. It is rather the right method to tell him to go on doubting, to doubt a little more, to doubt every day newer and wilder things in the

universe, until at last, by some strange enlightenment, he may begin to doubt himself.

This, I say, is the first fact touching the speech; the fine inspiration by which God comes in at the end, not to answer riddles, but to propound them. The other great fact which, taken together with this one, makes the whole work religious instead of merely philosophical, is that other great surprise which makes Job suddenly satisfied with the mere presentation of something impenetrable. Verbally speaking the enigmas of Jehovah seem darker and more desolate than the enigmas of Job; yet Job was comfortless before the speech of Jehovah and is comforted after it. He has been told nothing, but he feels the terrible and tingling atmosphere of something which is too good to be told. The refusal of God to explain His design is itself a burning hint of His design. The riddles of God are more satisfying than the solutions of man.

Thirdly, of course, it is one of the splendid strokes that God rebukes alike the man who accused and the men who defended Him; that He knocks down pessimists and optimists with the same hammer. And it is in connection with the mechanical and supercilious comforters of Job that there occurs the still deeper and finer inversion of which I have spoken. The mechanical optimist endeavors to justify the universe avowedly upon the ground that it is a rational and consecutive pattern. He points out that the fine thing about the world is that it can all be explained. That is the one point, if I may put it so, on which God, in return, is explicit to the point of violence. God says, in effect, that if there is one fine thing about the world, as far as men are concerned, it is that it cannot be explained. He insists on the inexplicableness of everything; "Hath the rain a father? . . . Out of whose womb came the ice?" He goes farther, and insists on the positive and palpable unreason of things: "Hast thou sent the rain upon the desert where no man is, and upon the wilderness

wherein there is no man?" God will make man see things, if it is only against the black background of nonentity. God will make Job see a startling universe if He can only do it by making Job see an idiotic universe. To startle man God becomes for an instant a blasphemer; one might almost say that God becomes for an instant an atheist. He unrolls before Job a long panorama of created things, the horse, the eagle, the raven, the wild ass, the peacock, the ostrich, the crocodile. He so describes each of them that it sounds like a monster walking in the sun. The whole is a sort of psalm or rhapsody of the sense of wonder. The maker of all things is astonished at the things He has Himself made.

This we may call the third point. Job puts forward a note of interrogation; God answers with a note of exclamation. Instead of proving to Job that it is an explicable world, He insists that it is a much stranger world than Job ever thought it was. Lastly, the poet has achieved in this speech, with that unconscious artistic accuracy found in so many of the simpler epics, another and much more delicate thing. Without once relaxing the rigid impenetrability of Jehovah in His deliberate declaration, he has contrived to let fall here and there in the metaphors, in the parenthetical imagery, sudden and splendid suggestions that the secret of God is a bright and not a sad one—semi-accidental suggestions, like light seen for an instant through the cracks of a closed door. It would be difficult to praise too highly, in a purely poetical sense, the instinctive exactitude and ease with which these more optimistic insinuations are let fall in other connections, as if the Almighty Himself were scarcely aware that He was letting them out. For instance, there is that famous passage where Jehovah, with devastating sarcasm, asks Job where he was when the foundations of the world were laid, and then (as if merely fixing a date) mentions the time when the sons of God shouted for joy. One

cannot help feeling, even upon this meagre information, that they must have had something to shout about. Or again, when God is speaking of snow and hail in the mere catalogue of the physical cosmos, He speaks of them as a treasury that He has laid up against the day of battle—a hint of some huge Armageddon in which evil shall be at last overthrown.

Nothing could be better, artistically speaking, than this optimism breaking through agnosticism like fiery gold round the edges of a black cloud. Those who look superficially at the barbaric origin of the epic may think it fanciful to read so much artistic significance into its casual similes or accidental phrases. But no one who is well acquainted with great examples of semi-barbaric poetry, as in the Song of Roland or the old ballads, will fall into this mistake. No one who knows what primitive poetry is, can fail to realize that while its conscious form is simple, some of its finer effects are subtle. The Iliad contrives to express the idea that Hector and Sarpedon have a certain tone or tint of sad and chivalrous resignation, not bitter enough to be called pessimism and not jovial enough to be called optimism. Homer could never have said this in elaborate words; but somehow he contrives to say it in simple words. The Song of Roland contrives to express the idea that Christianity imposes upon its heroes a paradox: a paradox of great humility in the matter of their sins combined with great ferocity in the matter of their ideas. Of course the Song of Roland could not say this; but it conveys this. In the same way the Book of Job must be credited with many subtle effects which were in the author's soul without being, perhaps, in the author's mind. And of these by far the most important remains even yet to be stated.

I do not know, and I doubt whether scholars know, if the Book of Job had a great effect or had any effect

upon the after-development of Jewish thought. But if it did have any effect, it may have saved them from an enormous collapse and decay. Here in this Book the question is really asked whether God invariably punishes vice with terrestrial punishment and rewards virtue with terrestrial prosperity. If the Jews had answered that question wrong they might have lost all their after-influence in human history. They might even have sunk down to the level of modern well-educated society. For when once people have begun to believe that prosperity is the reward of virtue, their next calamity is obvious. If prosperity is regarded as the reward of virtue, it will be regarded as the symptom of virtue. Men will leave off the heavy task of making good men successful. They will adopt the easier task of making out successful men good. This, which has happened throughout modern commerce and journalism, is the ultimate Nemesis of the wicked optimism of the comforters of Job. If the Jews could be saved from it, the Book of Job saved them.

The Book of Job is chiefly remarkable, as I have insisted throughout, for the fact that it does not end in a way that is conventionally satisfactory. Job is not told that his misfortunes were due to his sins or a part of any plan for his improvement. But in the prologue we see Job tormented not because he was the worst of men, but because he was the best. It is the lesson of the whole work that man is most comforted by paradoxes. Here is the very darkest and strangest of the paradoxes; and it is by all human testimony the most reassuring. I need not suggest what a high and strange history awaited this paradox of the best man in the worst fortune. I need not say that in the freest and most philosophical sense there is one Old Testament figure who is truly a type; or say what is pre-figured in the wounds of Job.

SONG-ECHOES FROM THE GERMAN

By EDITH M. THOMAS

I LINGERED by the Bodensee,
That laves so many a German land:
Song-Echoes thence, from every way,
Came rippling up the willow strand.

FROM WILHELM BUSCH'S "KRITIK DES HERZENS"

THE TRAMP

It was a tramp that crossed my way,
Took off his cap, and bade good day.
Though strong he was, and sound withal,
I let a piece of silver fall,
Right friendly, in his tattered cap.
The fellow was a clever chap,
And through his shaggy goat's-beard spake:
"Kind Sir, observe, no pains I take
To thank you (*that* I never do);
I take it—you, yourself, can see—
Your flattered vanity for you
An ample recompense will be!"

THE BIRD ON THE LIME

It was a bird that from the lime
Beheld a black cat climb and climb
Still higher, higher, up the tree,
With claws and eyeballs fierce to see.
The bird bethought him:—"Since 't is so—
Since down this cat's throat I must go,—
There 's not a moment, now, to lose;
The time that 's left me I must use.
I 'll pipe a jolly note or two,
As when of grief I nothing knew!"
So thought, and sang.—And I—I wist,
The poor bird was a humorist!

FROM CONRAD FERDINAND MEYER

THE DEAD LOVE

We walked towards town in silence
And it was close of day.—
So, once, the two disciples
Towards Emmaus held their way:

On either side they walk—
They list each word He saith,—
The Master whom they served,
And who had suffered death!

'T was even so with us:
We walked, at set of sun;
And our Dead Love, between us
Spake low to us, each one.
For every secret thought
The secret word he knew;
And what was deepest hid
From out our souls he drew.
He made all clear—how clear!
Yet silvery soft he spake:
"I on the Cross have hung—
Behold, 't was for your sake!
Twas you that did betray me;
Your insults have I borne;
For you, I sat in purple—
The crown of thorns have worn!
And I have suffered Death;
And Death have conquered, so;
And now, between you twain.
In Heavenly guise I go!"—
He spake. Our Road Companion
We had at last discerned:
Oh, then, like those disciples,
Our hearts within us burned!

AT HEAVEN'S GATE

I dreamed I came to Heaven's Gate,
And there I found you, Sweet
Close down beside the spring you sate,
And washed, and washed your feet.

You washed them—washed them yet again,
Beneath the blinding Light—
With haste, with haste, and look of pain,
Albeit they shone so white.

I cried, "Oh, why this task to do—
Your cheeks with tears all wet?"
"So deep in dust I went with you
That dust is on me yet!"

RECENT STUDIES IN ENGLISH POLITICAL BIOGRAPHY

By W. ROY SMITH



IN the generation of Englishmen which passed the first Reform Bill and repealed the Corn Laws, there were many optimists who believed that the extension of the suffrage and the growth of international commerce would do away with warfare. Exactly three quarters of a century have elapsed, and—peace conferences notwithstanding—that hope seems to be further from realization to-day than it was in 1832. Civilized nations are spending a constantly increasing proportion of their revenues in training men and in constructing instruments to destroy life and property. Tennyson reflects the trend toward militarism when he says, in "Maud,"

Is it peace or war? Better, war! loud war
by land and by sea,
War with a thousand battles, and shaking
a hundred thrones.

Carlyle's worship of Cromwell and Frederick the Great and much of Kipling's work are characterized by the same sentiment. "The Army of a Dream" is simply a glorification, a wildly fantastic glorification, of the military career. By studying the history of the nineteenth century we may in time discover the forces which have neutralized the peaceful influence of trade and perhaps be able to suggest some remedy. For this reason, if for no other, we should welcome the keen interest manifested in this period in Great Britain during the last five years. To the general histories of Dorman, Walpole, Paul,

McCarthy and Bright may be added Morley's "Life of Gladstone," Winston Churchill's "Life of Lord Randolph Churchill" and Fitzmaurice's "Life of Lord Granville," and, more recently still, Walpole's "Studies in Biography,"* Houston's "Daniel O'Connell,"† Reid's "Lord Durham,"‡ Atlay's "Victorian Chancellors"§ and the "Argyll Autobiography and Memoirs."|| The chief characteristics of this literature are its predominantly political and biographical nature and the fact that it is written almost exclusively from the Whig point of view. Many of the writers themselves are men who have been more or less prominent in public life, either in Parliament or in the Cabinet. It may be true that the brain of a Whig is cast in a broader mould than that of his Tory brother; but even Whigs are mortal, and however impartial they may be in dealing with the remote past, it is not so easy for them to do full justice to their present-day opponents.

The distinction of being regarded as the highest authority on the political history of England since 1815 belongs unquestionably to Sir Spencer Walpole. Not only does he possess a thorough knowledge of political conditions in his own country, based

*Studies in Biography. By Sir Spencer Walpole. E. P. Dutton & Co.

†Daniel O'Connell: His Early Life and Journal, 1795 to 1802. By Arthur Houston. Sir Isaac Pitman & Sons.

‡Life and Letters of the First Earl of Durham, 1792-1840. By Stuart J. Reid. 2 vols. Longmans, Green & Co.

§The Victorian Chancellors. By J. B. Atlay Vol. I. Little, Brown & Co.

||George Douglas, Eighth Duke of Argyll (1823-1900). Autobiography and Memoirs. Edited by the Dowager Duchess of Argyll. 2 vols. E. P. Dutton & Co.

on a life-long study of Hansard, but, for an Englishman, he is also unusually familiar with American and continental affairs. This volume of studies constitutes a sort of biographical supplement to his larger general history which covers the period from 1815 to 1870. The selection of subjects is unfortunately rather arbitrary, having been determined primarily not by the importance of the men, but by the fact that many of the articles appeared originally in the *Edinburgh* and the *Quarterly* as book-reviews. Authors are usually loath to indulge very much in this type of essay because of the inevitable comparisons with Macaulay and Froude. Walpole does not suffer from such a test, if we consider his work as history rather than as literature; but it is, nevertheless, more equitable to institute a comparison with another recent book of the same general character—namely, Bryce's "Studies in Contemporary Biography." Bryce takes it for granted that the reader is familiar with the main biographical details, and attempts to analyze the character and the powers of the persons described; Walpole gives both the facts and the analysis. Naturally the latter method requires more space, consequently, to twenty studies in Bryce, Walpole has only nine. The study of Lord Beaconsfield is the only one common to both, and in that the honors clearly belong to Bryce. It would not, however, be just to draw any general conclusions from this fact, because it means a comparison of Walpole's poorest essay with Bryce's best. Notwithstanding his patently laborious efforts to be fair, Walpole is too pronounced a Whig to treat sympathetically the career of a politician who seemed to him only the worst type of unscrupulous adventurer.

If consistency were the standard for the determination of statesmanship, England would not take very high rank during the nineteenth century. This was due primarily, of course, to the unsettling of conditions by the French Revolution.

Most of the political leaders who entered Parliament between 1815 and 1835 were educated under ultra-conservative influences. It might be said, however, of many of them, as it was of Gladstone, that they were "Oxford on the surface, but Liverpool below." Whenever one of them began to examine public questions in the light of reason, he was almost sure to find "that the opinions which he had accepted on his entrance into public life would not satisfy his intelligence, and that the conclusions which he had previously regarded as right had to be discarded as wrong." Owing perhaps to the fact that his own political development has been in that direction, Walpole regards this evolution from High Toryism to Liberalism as a particularly desirable form of inconsistency. Peel and Gladstone were men after his own heart. They were inconsistent, "but the development of their opinions was gradual and constant, while the changes in Mr. Disraeli's opinions were various and inconstant." According to his own account, however, Peel's conversion to Catholic Emancipation and to the policy of repealing the Corn Laws was far from gradual, and in each case it implied treachery to the party which had honored him with its leadership. In other words, he acted in the spirit of Lord Rosebery's ironical advice to the Liberal party in 1885, "Whatever wave of public opinion we see advancing, for Heaven's sake let us be on the crest of it." If the objects to be accomplished do not meet our approval such conduct in politics is termed *opportunism*, otherwise it is *disinterested statesmanship*.

In addition to Peel and Disraeli the studies include Cobden, Lord Dufferin, Lord Shaftesbury, Edward Gibbon, Bismarck, Napoleon III and an essay, à la Creasy, on "Some Decisive Marriages of English History." The picture of Cobden is in some respects an improvement on that drawn by John Morley, because underneath the garb of the man of business it shows us more clearly the fanatic

and the dreamer. We doubt very much, however, whether Cobden was only dreaming in 1835, when he contended that "the true danger to English supremacy . . . did not lie in the advance of Russia, but in the progress of America." Russian aggressions in the East have certainly not affected the welfare of the English people one tenth part as much as the opening up of new wheat-fields in the United States through the construction of the great trans-continental railways. Full justice is done to Lord Dufferin's versatility, to Lord Shaftesbury's philanthropy and to Bismarck's merciless and unscrupulous diplomacy. Although the essay on Napoleon III contains nothing new to those who are acquainted with the de Persigny memoirs and the researches of de la Gorce and Ollivier, it ought to exert a beneficial influence in tempering the jaundiced view of the Emperor which many of us have derived from the pages of Victor Hugo. The study of Gibbon is so admirable that it fills us with regret that the author has not devoted more attention to historical literary criticism. Gibbon is evidently his ideal historian, as Peel is his ideal statesman. These two are the only studies in which his highest powers of criticism and appreciation are really displayed. He believes that Gibbon "ranks, almost beyond dispute, and almost without a competitor, as the greatest writer of history who has written in the English tongue." Much of Gibbon's work, to be sure, has been superseded by the researches of Mommsen, Savigny, Hodgkin, Milman and others, but if that be taken as a criterion, then Thucydides, Livy and Tacitus are equally obsolete. As Walpole says, the chief criticisms of Gibbon are based upon a misconception in regard to the plan of his work. "He addressed himself to the task of writing the Decline and Fall of the Roman Empire. He did not attempt to describe, except incidentally, the contemporary history of the Reconstruction of Modern Europe."

Admiration for the historian of the Decline and Fall was much more general a century ago than it is to-day. In his "Journal," under date of January 13, 1798, Daniel O'Connell wrote:

I have read five volumes and a half of Gibbon. In a few days I will have the whole concluded. It is an extraordinary, it is an admirable work. The genius, the critical acumen, the laborious research of the author, are unrivalled. He has mended my style; he has improved my thoughts; he has enriched my memory.

If the comment on Paine's "Age of Reason," quoted below, may be taken as a fair sample of the Liberator's ante-Gibbon style, the need of amendment is painfully evident.

The Journal as a whole is disappointing. It covers only the years from 1795 to 1802 and even for that period it is very sketchy. Months frequently elapsed between entries. The text itself would not take up more than seventy-five ordinary octavo pages, although by a laborious padding of footnotes Dr. Houston has been able to make a book of two hundred and fifty-five pages. There is absolutely no information at all concerning the two most important events of the period—the Irish Rebellion of 1798 and the passage of the Act of Union. Most of it has already been published in the *Irish Monthly* and was used by Macdonagh in his "Life of O'Connell."

At the same time, it would be incorrect to assume that the book is of no value at all. It is the only complete edition of the Journal, and, furthermore, it contains amid the voluminous notes occasional scraps of new information in regard to O'Connell's early career. The most interesting feature of the text is O'Connell's comments on the books which he read during this formative period of his life—from his twenty-first to his twenty-seventh year. When we recall the rigid orthodoxy of his later years, we are naturally surprised to find him reading Paine's "Age of Reason," the "Recueil

Nécessaire" and the writings of Voltaire and Rousseau. Of the "Age of Reason," he says:

This work gave me a great deal of pleasure. In treating of the Christian system he is clear and concise. He has presented many things to my sight in a point of view in which I never before beheld them. . . . It has put the foundation of the religious question of the Christians in a point of view in which a judgment is easily formed on its solidity. I now have no doubts on this head. I may certainly be mistaken. But I am not wilfully mistaken, if the expression has any meaning. . . . To the God of nature do I turn my heart; to the meditation of His works I turn my thoughts.

From this language and from the fact that O'Connell became a Freemason in 1799, it would probably be safe to conclude that his orthodoxy at that period was at least open to question. It should be added, however, that he subsequently abandoned masonry and made the plea that he was ignorant of the papal hostility to the order at the time of his initiation. Among the other books which he read during these years were Godwin's "Political Justice," Smith's "Wealth of Nations" and Boswell's "Johnson." We wonder whether the following (p. 151) is an editorial slip or simply an Irish bull:

I went to bed last night at one, and got up this morning at ten—eleven hours' sleep. This is too much. This indulgence must be corrected.

In addition to those already mentioned, another characteristic feature of recent English historical literature is the tendency to emphasize colonial and imperial problems. We can scarcely realize now that half a century ago the leading statesmen of both parties regarded the colonies as a nuisance necessary, perhaps for the time being, but to be got rid of as soon as possible. This seems to have been the view of Peel, of Grey, of Melbourne, of Lord John Russell and even of Disraeli. Writing to Lord Malmesbury in 1852, the

future leader of the Conservative party declared that "these wretched colonies will all be independent in a few years, and are a millstone round our necks." Apparently not one of these men realized that the sole cause of trouble was the failure to learn the lesson of the American Revolution. They were too ready to accept the dictum of the Duke of Wellington, that "local responsible government and the sovereignty of Great Britain are completely incompatible." Radicals insisted upon self-government for the colonies, although, as a rule, they regarded such a move as preliminary to ultimate separation. There was, however, a small group of men who took a broader view of the question and advocated home rule as the only alternative to separation. Conspicuous among them, partly by reason of his ability and partly because of his family connections, was John George Lambton, first Earl of Durham. So far as colonial policy is concerned, Mr. Reid's biography adds little to Mr. Bradshaw's admirable dissertation on "Self-Government in Canada, and How it was Achieved," published in 1903. It presents, however, a sympathetic picture of Durham's private life, based upon the family papers, and it offers a mass of valuable information in regard to his work in Parliament and in the Cabinet. Like most biographers, Mr. Reid paints the character of his hero in too bright colors, and he claims entirely too much for him as a statesman. It is true that Durham's ability and influence have heretofore not been properly rated; it is also true that he possessed many excellent qualities, such as honesty, energy and kindness of heart; yet justice requires some mention of his ungovernable temper, his overbearing attitude toward his colleagues and his excessive vanity. As Lord Privy Seal (1830-1833) in the government of his father-in-law, Earl Grey, he was such a constant firebrand that Lord John Russell expressed a doubt as to whether there could ever be harmony in a cabinet

of which he was a member. We should, however, be careful not to allow Durham's temperamental defects to distract attention from the value of his public services. From his entrance into Parliament in 1813 until his death in 1840 he was one of the few who never wavered in their allegiance to the cause of reform, social, economic and political. His efforts in connection with the Reform Bill of 1832 and the settlement of the Canadian question alone are sufficient to entitle him to high rank as a statesman.

When the Grey ministry was formed in 1830, Durham was appointed chairman of a special committee of four to prepare drafts of Parliamentary Reform measures for England, Scotland and Ireland. Although compelled to yield on many points to his more conservative colleagues, Lord John Russell, Lord Duncannon and Sir James Graham, he was nevertheless able to broaden the suffrage requirements and to liberalize the proposals in various other ways. But his duties did not end at that stage, for it was he who prepared the very able explanatory report which was submitted to the Government along with the bills, and it was he more than any other person who encouraged Lord Grey to insist upon the creation of peerages to overcome the opposition of the House of Lords. The chief credit for this work has usually been given to Lord John Russell simply because he introduced the bills into the House of Commons and undertook their management. Durham would undoubtedly have had that privilege, if he had been a member of the Commons, and even as it was, Russell was selected on his recommendation, in the face of strong opposition in the Cabinet.

To his contemporaries, Durham's career as Governor-General of Canada (1838) appeared distinctly a failure. Snubbed by the Melbourne Government on account of a petty dispute over the treatment of political prisoners, he resigned in disgust at the end of five months. But, in this

short time, with the help of a valuable corps of assistants, including Edward Gibbon Wakefield, Charles Buller and Thomas Turton, he was able to make a careful study of the political and economic conditions of all the six provinces. The results were published in the famous report which constitutes the foundation of the modern British colonial system. The main thesis, that "the Crown must consent to carry the government on by means of those in whom the representative members have confidence," presents a striking contrast to the dictum of the Duke of Wellington. The recommendation of a federal union of the provinces was also ahead of the times, but the idea was carried out in the formation of the Dominion of Canada in 1867. Mr. Reid discusses at some length the moot question of authorship. The truth of the epigram that "Wakefield thought it, Buller wrote it and Durham signed it" was called into question many years ago. John Stuart Mill regarded Buller as practically the sole author; an article in the *British Quarterly Review* for November, 1849, attributed it to Wakefield; Dr. Garnett, in some articles in the *English Historical Review* for April and July, 1902, divides the honors almost evenly between Buller and Durham and assigns to Wakefield a subordinate share; Bradshaw is inclined to be more favorable to Wakefield and Durham and less so to Buller. Mr. Reid is probably right in assuming that the credit belongs primarily to Durham himself. If public men did not receive assistance from their subordinates, very few state papers of the first magnitude would be written at all.

The immediate failure of Durham's mission was due primarily to the hostile criticism of Lord Brougham. Their quarrel, which had begun several years earlier, is discussed by Atlay in his "Victorian Chancellors," and although he does not hold Brougham entirely blameless, he is inclined to think that Harriet Martineau's defence of Durham—to which

we might add Reid's—is decidedly prejudiced. If possible, Brougham was more conceited than Durham. Gifted with a ready wit, an extraordinary memory and an unlimited capacity for hard work, he was always trying to outshine other men even in their own fields. His contributions to the *Edinburgh Review*, which he had helped to found in 1802, covered almost every conceivable subject. They were, as a rule, of a very superficial character, and many of them were evidently written for the sole purpose of puffing himself. In his autobiography he claims credit for nearly all the reforms of the first half of the century and tells the most impossible lies without the least hesitation. Atlay frankly acknowledges these defects, but he perceptibly tones down the account given by Campbell in his "Lives of the Lord Chancellors." Brougham's chief public service was in the domain of law reform, as the founder of the Judicial Committee of the Privy Council. But when all has been said it is his reputation as a humorist rather than his advocacy of reform, or his defence of Queen Caroline, or his share in founding the University of London, or his oratory, or the superficial versatility of his writings, or his work as Lord Chancellor, which will cause him to be remembered. No one but a humorist could have conceived the idea of circulating a rumor of his own death in order to see what the newspapers would say about him. Atlay reproduces some of the Campbell anecdotes, and gives others, drawn for the most part from the recently published Creevy Papers. The Duke of Wellington once suggested to Brougham that his most lasting monument would be the vehicle which bears his name. Brougham retorted by mentioning the Wellington boots. "Damn the boots," replied the Duke, "I'd forgotten them. You have the best of it." The three remaining essays in this volume deal with Lord Lyndhurst, Lord Cottenham and Lord Truro. Lord

Lyndhurst's career is of special interest to us because of his American birth and connections—he was the son of Copley the portrait-painter. The tone of Atlay's account is about midway between Campbell's spitefulness and Sir Theodore Martin's over-zealous praise.

There have been three general types of British statesmen since the close of the Napoleonic wars: Mr. Gladstone affords the best example of the type whose political views have developed slowly but steadily in the direction of Liberalism and Radicalism; Mr. Disraeli represents those who have opposed that tendency from the very beginning; the third group is composed of men who followed Mr. Gladstone's lead until they became convinced that he had passed beyond the Liberal stage and had become a Radical. Inasmuch as the Duke of Argyll (1823-1900) belonged to the group last-mentioned, his "Autobiography and Memoirs" will help us to understand the Liberal movement itself and the significance of the more recent reaction against it. Unfortunately the autobiographical part extends only to the close of 1857. But the Memoirs, in continuation, are well written and are rich with extracts from the Duke's letters and speeches. His circle of correspondents was very wide, including not only the political leaders of the time, but also a great many persons eminent in the fields of science and literature, such as Sir Charles Lyell, Professor Tyndall, Lord Kelvin, Herbert Spencer, Max Müller, John Lothrop Motley, Lord Tennyson and others. In many respects the most interesting sections are those which deal with the Eastern Question and with the Civil War in the United States. He approves the Crimean War and defends Lord Aberdeen's *ante-bellum* diplomacy from the attacks of Kinglake and Walpole. "The whole object of the Crimean War," he declares, "was, not to support Turkey as an empire at any cost, but to establish this as a European principle: that, whatever

might be the fate or the future of Turkey, that fate and that future were to be in the hands of Europe, and not in the hands of Russia alone." Under this view he felt justified in seconding Mr. Gladstone's denunciation of the Turkish atrocities in Bulgaria in 1876 and in Armenia in 1894-1895.

Those who are familiar with Mr. Rhodes's admirable analysis of public opinion in England toward our Civil War will welcome the additional light which these volumes throw upon the inner workings of the Cabinet during that period. The Duke was the only member of the Government whose sympathies were entirely with the North, and he found it impossible to hold his colleagues to a rigid policy of neutrality. Some Gladstone letters are given here which are not published by Morley. In one of August 3, 1862, Mr. Gladstone says:

My opinion is that it is vain, and wholly unsustained by precedent, to say that nothing shall be done till both parties are desirous of it. . . . We ought to communicate with France and Russia, to make with them a friendly representation (if they are ready to do it) of the mischief and the hopelessness of prolonging the contest in which both sides have made extraordinary and heroic efforts.

In spite of Argyll's protests, the *Alabama* was permitted to escape, and a subsequent proposal that orders should be given for her detention at any British port at which she might stop was voted down by the Cabinet with only Argyll and Lord John Russell in the affirmative. From that time until the final settlement at Geneva in 1872, the Duke always insisted that his own country was in the wrong. The author of the *Memoir* doubly errs in attributing the defeat of the Johnson-Clarendon agreement in 1869 to Seward's speech (ii, 212). The speech was of course

Sumner's instead of Seward's, and furthermore, if Rhodes's account is correct, it exerted very little influence upon the final vote in the Senate.

The Duke began to distrust the radical tendencies in his party before the close of Gladstone's first administration. In a letter to Lord Northbrook, of February 13, 1874, he referred to the recent defeat of the Government at the polls as follows: "Politically, too, there are many compensations to me, as I am not a Radical, and many of the extreme joints of our tail had been wagging too much." His final quarrel with Mr. Gladstone and his consequent resignation from the Cabinet came with the Irish Land Act of 1881. The Home Rule bills and the Gordon tragedy widened the breach politically, but the old ties of personal friendship were never entirely broken, and in 1895 they worked together most cordially in the effort to arouse public sentiment in behalf of the Armenians.

To return to our original thesis, we must study the history of the nineteenth century if we would discover the forces which have operated to strengthen the military spirit of the people. Our study must of course be broad in scope; in addition to the distinctly political phases of life, it must also include the social, the economic, the religious, the literary and the scientific. Any attempt to analyze national character without sufficient data is worse than useless. In fact, our sketch has been so brief that we hesitate to base upon it a generalization even of a biographical character. We might, however, suggest hypothetically that, in so far as personal political leadership has been a factor in the question, Mr. Gladstone's career has been the most powerful single influence in favor of peace and justice, while that of Prince Bismarck has been the most detrimental.



The Editor's Clearing=House



NOT AS ONE THAT BEATETH THE AIR

THOREAU'S shed in the woods is impracticable to many people who yet will not admit that it stands for a fallacy. Rather they see in his theory something which, for all they cannot achieve the practice, remains hopeful as well as dear. If only I might simplify my life by more direct application of my labor to my real wants! This is not merely the cry of a few reactionaries. It expresses the instinctive protest against that modern complication of complexity which seems to miss the end in the means. So much of our energy is applied indirectly that we seem forever held out of touch. My own bread, baked on the antiquated hearth of my own building with wood of my own cutting, is doubtless no more the diet of philosophy than baker's bread, baked over gas by certified members of an international union. Indeed, to-day's pot of porridge, if I will so simplify my meal, takes the less time from meditation by simmering on a gas stove. The very type of modern complexity may further simplicity. Nay, in many quiet lodgings it does actually dispense at once with servants and with the distracting community of the boarding-house. But it leaves a want that can never be antiquated—the human want of labor for human hands. Thoreau's hard hoeing supplied his bean-pot as well as his blood and his eye. Cannot I so feed mine.

Answer is instant and loud. The division of labor has bred a spawn of specialists for muscles and modern nerves. A clipping from the advertisements of the last magazine, a statistical post-card, will bring full prescription, with machinery of pulleys and rubber. Only to stand up to the wall or crouch on the chamber floor, pulling and pushing a good half-hour twice a day; or, more agreeably dispensing with machinery, to stretch and supple the frame by merely waving arms and legs, weaving the trunk, dancing, gesticulating, rising and sinking,—that will answer. It will answer. The blood of the sedentary will stir. But why is the answer so

wearisome? Profitable, doubtless, why is this so flat and stale? Because of the desire, not commercial, no, nor even utilitarian, that the good labor of the arm shall not be merely for the labor,—that it shall be productive. Tell us, ye modern men of science, how much physical energy we modern men of the desk spend on pulling ourselves up by our own boot-straps.

No, if it were too much to ask that labor for health should be productive, as well as labor for money, we should not persist incorrigibly in asking. Vacations aside, let us not cease to ask how that other work which for health we must do in the course of work may be turned toward the natural end of all work. The way is nearest through that very simplicity which is craved in clearer moments; and simplicity always demands courage. To walk home in all weathers is derogatory neither to rapid transit nor to generosity. That a few cents are saved thereby is properly an additional motive. But this means is both obvious and inadequate. Of the manual labor about my house, let each philosopher ask himself, what might be done, in the time I must give to my body, by my own hands? The heaving of coal into the furnace is a way to overcome modern complexity which many greater men may well learn of manysmaller. If it seem drudgery, so will seem the daily heaving of a pulley-weight. If it seem menial—but here we are upon the ultimate hindrance to manual productivity. Of the men that will heave coal in the dark privacy of their own cellars, who dare heave it into his cellar from the public street? We may allege the grime; but we know grime is nothing to the pleasure of sweating work in open air. A certain man, defeated, but still striving, was wont to heave coal from the northwest corner of his cellar to the southeast, and so back again. Grime he had doubly, and subterranean air; but he kept his state above ground.

The dignity of manual labor we are ready to admit, even to proclaim, with our lips. So long as we deny it in our

double hearts, America is still bound by caste. A wide theme, verily! Narrow it forthwith to the sawing of wood. Coal-heaving in public is an ambition we may renounce to save our faces; but wood-sawing in the very eye of the world may be passed as an interesting eccentricity. Therefore let us not timidly saw smaller the logs that are already small enough, still confining our labor to the unproductive. Though steam has reduced the cost of cutting, cord-wood as it leaves the hand of the chopper in the forest has a lower price than the neat sections ready for the hearth. Moreover the thrifty American eye should now and then discern other chances among the wreckage of modern society. Light-wood, at least, might often be had from the crates for whose removal we pay the dustman. The laborer for exercise is none the less worthy of his hire.

That most repulsive of modern undertakings, the erection of a gas-tank, once supplied my hearth at a rate to satisfy mind as well as body. The supporting pillars of red oak and whitewood once pounded into place by the gasping pile-driver, their ends were sawed off level with the black ooze. These butts, some three feet long and sixteen inches in diameter, were sold to all comers at a dime. The contractor's lad who carted twenty of them to my door justly demanded twenty-five cents for carrying them to the back fence. Not till I had seen him blithely shoulder log after log did it penetrate my complicated modern thought that I might have had the pleasure myself—to say nothing of the twenty-five cents. At any rate, the logs were there, through sun, rain and snow, the good toil of leisure half-hours for months. Quartering them with wooden wedges—they were too big for my light hand-axe—I made my blood sing over the saw-buck. This was well enough till a professor of Germanic languages inquired sharply if iron wedges were not cheap by the pound, and further if I did not know how to dispense with

wedges altogether by using an axe of proper weight. Thereupon this learned man taught me to tilt the stick and deliver the single just blow. If more professors thus fertilized learning with sagacity, exercise would oftener be directly productive. My fuel, when finally it was piled to my satisfaction, would have brought in the market three times the first cost of the material, plus the price of the axe and saw. Must not any American be honestly glad that the labor demanded for his body's health should directly serve his body's other needs?

The consideration is for plain people, for the host whose wage from bank or college or church will not stretch to a country club. Long live sport! and may its return to out-of-doors never ebb. But beside the daily need and the large natural craving, sport remains small. When it is not for the few, it is still for the time, not for every day; and it leaves unanswered the desire of the hand to be making. En-viable indeed those few that have for vocation some muscular craft. The next generation, thanks to schools of manual training, is to provide more carpenters. True, this resource can be but occasional. That he who earns with his head eight hours a day should earn with his hand one hour, however satisfying in theory, is too exacting for practice. But practically, the daily misery of oscillation to and from the suburbs may be offset by delving, winters in clean snow, summers in mould. Only let a man plant beans as well as roses, and learn to make his patch yield. Even horses would oftener be possible, in city or country, and with double profit to muscles and lungs, if more men would be grooms. In a word, the list of opportunities is far longer than any admitted by timid convention. The incubus of caste may be laughed away by whoever will view it in daylight simplicity. How many free Americans will be bound to fight for health as one that beateth the air?

CHARLES SEARS BALDWIN



The Lounger



WE have had all sorts of recollections of Tennyson. Now we have a child's recollections of the poet, by Edith Nichol Ellison. Mrs. Ellison is a daughter of the late Dean Bradley, whose friendship with the poet began during a summer holiday in the Isle of Wight. The young people of the two families, as well as the elder members, became great friends. Tennyson from a child's point of view is a

In a new Brookfield book, called "The Cambridge Apostles," we get an unpleasant picture of Tennyson's untidiness. Even then, as a young man, it was a byword among the "Apostles," who did not hesitate to joke him upon the condition of his linen. That a poet should be careless in his habits, that he should wear soiled linen and an unbrushed coat, does not seem compatible with intel-



ARTHUR HUGH HALLAM

Whose death inspired Tennyson's "In Memoriam"

much more charming Tennyson than we sometimes get from the grown-up point of view, but there is one little touch of realism that we might have been spared:

The poet's last call was for good-night kisses. Now this was a part of the performance I did not enjoy, because I so much disliked the odor of tobacco in his ragged beard.

lectual refinement. Tennyson must have been especially untidy according to the anecdotes in this book, and he resented any criticism of his habits.

Arthur Hugh Hallam was one of the "Apostles." He was Tennyson's dearest friend, but he was very unlike him in most respects. Hallam was neat in his person and methodical in his habits. He was not as handsome



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RUDYARD KIPLING

This portrait of Mr. Kipling was painted on silk by Jeem-Koo-ee of Swatow, China. The likeness might be worse, but the nails could not well be longer

a young man as Tennyson, but he had a face of great delicacy and refinement, as this portrait, taken from "The Cambridge Apostles," will prove.

22

Dr. Robertson Nicoll tells a most interesting story of coincidence in the columns of the *British Weekly* apropos of the late T. B. Aldrich. He happened to be reading about a prize competition in the *Westminster* for the best lyric of the twentieth century. It came into his mind that if T. B. Aldrich had written any recent lyrics he would stand a good chance of being named as the most successful.

Then [says Dr. Nicoll] I began to think of my meetings with Aldrich in America, of his comparatively advanced age, and particularly of a certain poem he wrote anticipating his death. I do not know how it was, but the thought pursued me, and next morning I woke to find that I had been dreaming of Aldrich, dreaming in particular that his charming wife showed me a little volume in which he had written, "To my Wife, Lilian, after seventeen happy years with her." I thought, too, of the lyric, and then I opened my daily paper. The first thing my eyes fell upon was an announcement of Mr. Aldrich's death. This is the lyric. It was published in a volume, "Flower and Thorn," issued in 1878:—

"I wonder what day of the week—
I wonder what month of the year—
Will it be midnight or morning,
And who will bend over my bier?

What a hideous fancy to come,
As I wait, at the foot of the stair,
While Lilian gives the last touch
To her robe, or the rose in her hair.

Do I like your new dress—pompadour?
And do I like *you*? On my life
You are eighteen, and not a day more,
And have not been six years my wife.

Those two rosy boys in the crib
Upstairs are not ours, to be sure!
You are just a sweet bride in her bloom,
All sunshine, and snowy, and pure.

As the carriage rolls down the dark
street,
The little wife laughs and makes cheer—
But . . . I wonder what day of the week,
I wonder what month of the year."



REDMAN FARM,
FORESTHILL, MASSACHUSETTS

June 25, 1906

Mr. J. B. Nicoll.

My Dear Mr. Nicoll:

It is pleasant to
learn that the old Patient
Monthly is to be revived, and
I wish it a long new life.
Some of my earliest things
saw light in its pages. I
am doing no magazine work
these days and I cannot un-
dertake to make promises
but I will agree to let you
have whatever I may write in
this kind within the year,
with the understanding that I
may not be able to give you
anything beyond my good wishes
for the success of your venture.
Sincerely yours,
T. B. Aldrich.

Dr. Nicoll speaks of Aldrich's "fascinating personality," and says of his prose and verse: "I doubt whether we have anything of the kind so good." I am rather surprised that Dr. Nicoll should care so much for Mr. Aldrich, for his literary likings usually run in another direction.

Bret Harte first called my attention to Aldrich. Although Harte was then just fresh from California, he picked out Aldrich, of the Boston group of authors, as being the most "folksy" and companionable. Aldrich, though very much of a poet, did not have the peculiarities of the poet. He was more a man of the world than the average poet is, or is supposed to be. Mr. Aldrich had one habit that was conspicuous in another poet, the late Lord Tennyson. Tennyson was seldom without a pipe in his mouth; Aldrich was no less devoted to the weed. Tennyson smoked a black and grimy clay, while Aldrich smoked a long-stemmed pipe more like that which the Orientals use. His was a clean smoke; Tennyson's was not, if we are to believe the stories about his pipes in the recently published Brookfield volume called "Cambridge Apostles." Mr. Aldrich throughout the latter part of his life was in comfortable circumstances. He had the best kind of a friend in a man who was known as "Walter Baker," but who was really a Mr. Pierce. There has been no Walter Baker for several generations, though I carried on a business correspondence with him for years, much to his amusement and much to my chagrin when I learned the truth. Mr. Pierce put Mr. Aldrich in the way of making money, and when he died left not only him but his wife and two sons (twins) each a comfortable slice of his fortune.

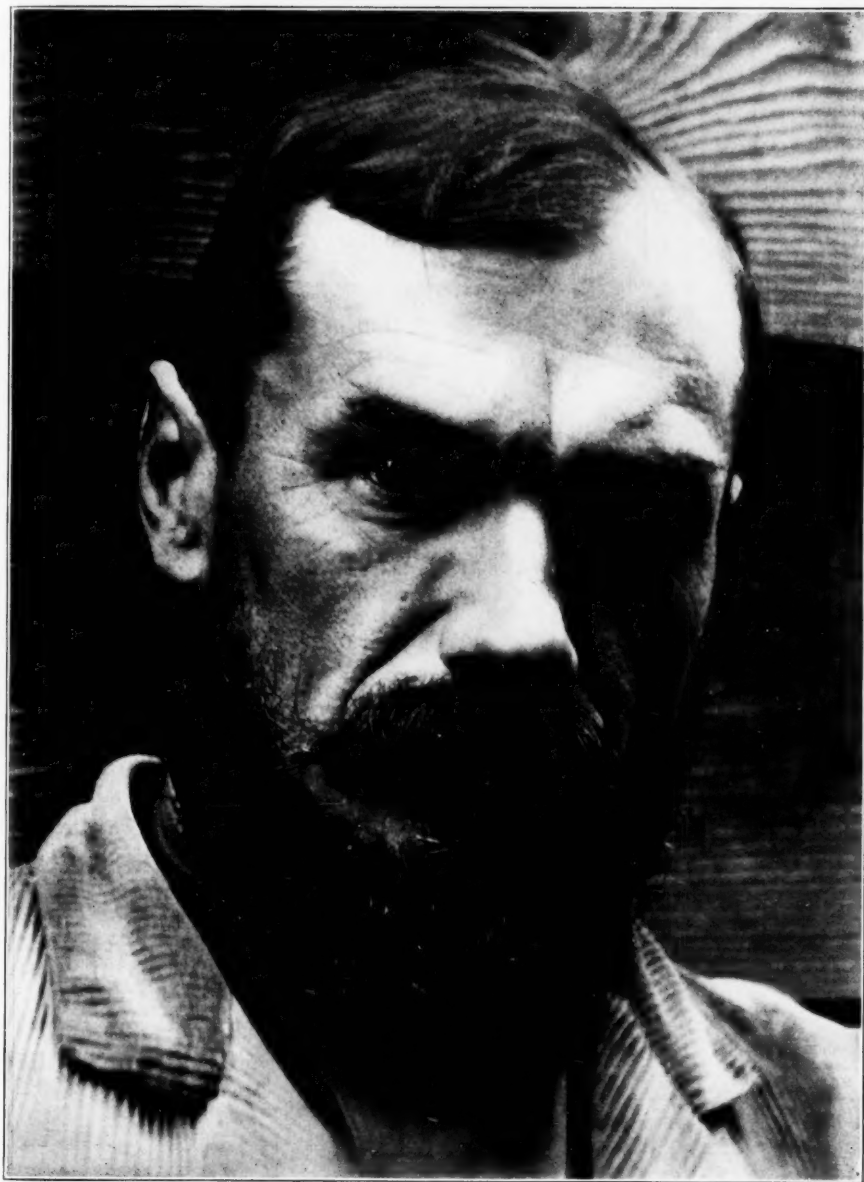


Frederik Van Eeden, whose latest novel, "The Quest," is attracting so much flattering attention, was born in Haarlem in 1860. He studied medicine and took his degree at Amsterdam in 1886. Hypnotism and psychotherapeutics interested him even more than the practice of medicine, and he had a clinic for nervous diseases at Amsterdam for seven years. Mr. Van Eeden was nothing if not progressive in his views

in those days, as he is in these; and he founded a colony not unlike that of Mr. Sinclair's Helicon Hall. This Dutch society was called Walden in memory of Thoreau, for whom Van Eeden had a great admiration. His first venture into literature was as a playwright, and some if not all of his plays were published in the original and in translations. In 1903 his novel, "The Depths of Deliverance," which the author describes as "lyric prose," was published in this country. Some people hailed it as a new gospel, others as a new immorality. The story was not without power but it was tedious and did not seem to "get anywhere." "The Quest," if any one has the time to read it—it covers more than five hundred octavo pages,—shows greater imagination and is more of a story, being sufficiently conventional in spots to interest the average reader. While it will never stand among the "six best sellers," the author has the satisfaction of knowing that, though he may be caviare to the general, the reviewers take off their hats to him as a new light in literature.



There are rumors in the air that Messrs. Moffat, Yard & Co. are to have a magazine if they have not already started it when this paragraph appears in print. Ever since this young firm was organized it has been yearning for a magazine. Both of its active members have had wide experience in magazine publishing. Mr. Moffat was for several years the publisher of *Scribner's Magazine* while Mr. Yard edited *The Book-Buyer*, published by the same house. They have not been in a hurry to launch their magazine, but that they would have one sooner or later was a foregone conclusion. That there are so many magazines on the market to-day does not seem to offer the least bit of discouragement to those who want to start new ones. That they have at least a fighting chance has its excitement.



FREDERIK VAN EEDEN, AUTHOR OF "THE QUEST," "THE DEEPS OF DELIVERANCE," ETC.

On page 378 is reprinted a cartoon from the *Pittsburg Despatch* published at the time that the smoky city was celebrating Mr. Carnegie and his magnificent gift. The cartoonist has hit the nail on the head. Mr. Carnegie loves to give but he does not believe in pauperizing. "Here is the ladder, but you must do the climbing yourself." He is not even going to do any "boosting"—and he is right. He climbed without the ladder, but he does not insist upon others doing that. Mr. Carnegie's autobiography, when it comes to be published, will drive the novel out of the field.



The late Josiah Flynt Willard was a curious and interesting character. He tramped with tramps, not so much for the sake of getting material to write about them as because he loved the life. He was not repelled by the unkempt, not to say downright filthy, condition of his companions and their way of living. He liked other people, too, but after spending an evening with such men as Swinburne, Pater and Symons he would seek his tramp companions, and really seemed to enjoy them more than his literary friends. His autobiography, running through the pages of *Success*, is most entertaining reading. Frank and familiar as is the story, I am told that it had even more of these characteristics as originally written, but that *Success* being a family magazine had to draw the line somewhere.



The Goldfield *Tribune* publishes this extract from a characteristic letter from Mr. Rex M. Beach, the author of "The Spoilers," who was in Goldfield recently in the interests of the *Saturday Evening Post*. It was written to Mr. Arthur Weber, a well-known mining man of that town:

"Dear Arthur—I am on the job again, with a souvenir of my trip in a Goldfield cough which shows I am a pretty sick woman. I had a

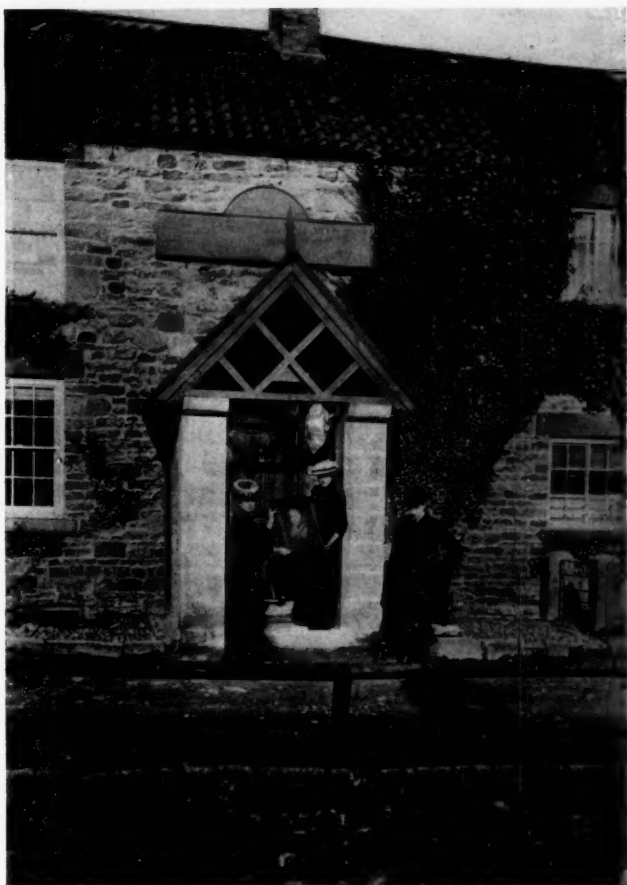
devil of a trip that first day, as I was suffering from a hob-nailed tonsil, club-foot larynx and in-growing lung. At Reno I had to cache Van Riper in the hospital, as he had everything the matter with him from pneumonia to housemaid's knee. Tomorrow I tear screaming from Chicago to New York, there to take a fall out of the muses. I shall undertake to get two falls out of three, and if I succeed I shall hold their shoulders to the mat. They tell me that rehearsals are coming on finely, and that certain members of the company are so restful to the eye that a man begins to snore the moment he flops his lenses on them. I shall introduce myself as Scotty King, of the desert. It is my ambition to reach such a condition of innocuous desuetude by the time I care to return to the sagebrush that I shall welcome a trip to Goldfield as a life saver, and fall weeping upon the neck of the ticket agent. Oh, happy fate! I have told some of my friends that I intend returning to Nevada, and having elaborated my plans to them, they have fallen a-tremble for fear I won't let them in with me. I expect to come west hooked up like a horse-pony show. We are thinking of taking a special car and living in it for a week or two. I will stay, and they return.

"To be serious a moment, I want to go on record as thanking you for the bully time you gave me, a stranger; for your hospitality, and for all the favors I received in your hands. I feel acquainted with that brother of whom I heard so much, and don't let him escape finding me in New York if he comes east. I have a fairly good trail broken up and down the island, which I can follow on the darkest night, and I declare him in on anything it leads to."

Mr. Beach's most realistic contribution to western literature is a description of a prize fight at Tonapah. It is vivid and virile enough.



I have often heard it said that



WHERE THE "GRAFTON PORTRAIT" OF SHAKESPEARE WAS FOUND

(See page 214, May *Putnam's*)

the statue of William H. Seward in Madison Square, New York, was a portrait of Seward only as to the head, the body being that of Lincoln.*

(Dagon his name, sea-monster, upward man
And downward fish.)

Years ago a young sculptor assured me that he recognized the body as that of a statue of Lincoln in Fairmount Park, Philadelphia. To determine the point finally, I wrote some time ago to the statesman's son and biographer, Mr. Frederick

W. Seward, of Montrose, New York, and have received from him the following statement on the subject:

The old joke about the Madison Square statue was possibly inspired by the fact that the statue is colossal, while Mr. Seward's figure, familiar to New Yorkers, was not above ordinary size. As a matter of fact, Mr. Randolph Rogers, the sculptor, came up to Auburn before making his model, and gathered accurate data as to Seward's height, weight, figure and customary attitudes, and took careful measurements of his clothes, his chair, his cane, etc. Doubtless he computed the pro-

* See page 270.



From a drawing in red chalk by the architect, John Mead Howells

MARK TWAIN'S HOUSE—TO BE BUILT AT REDDING, CONNECTICUT

portions mathematically when he modelled the statue in his studio at Rome, and had it cast at Munich. You will find the history of the work given in detail, with contemporary criticisms, in "The Seward Memorial," published by D. Appleton & Co., 1876. A glance at the two statues will show that they are entirely different. Both figures are seated, but one—the Lincoln—leans a little forward, with feet firmly planted and separated; while the other sits easily with legs carelessly crossed. No replica could do that. Rogers, with artistic skill, posed Lincoln in one of his customary attitudes, and Seward in one equally characteristic.



Mr. Albert Bigelow Paine, I am told, is Boswellizing "Mark Twain" for the purposes of a minute biography. Mr. Paine lived under Mr. Clemens's roof tree all last winter, and in the spring set out upon a round of visits among the scenes of Mr. Clemens's infancy, youth and young manhood. When Mr. Clemens's Italian villa in Connecticut is finished and the owner lives in it, he will have Mr. Paine at the foot of his hill. Mr. Paine is already established at West Redding, and though he will be near Mr. Clemens as the crow flies he will be a long way off if rough, hilly roads count for anything. But no hill is too steep or too rough for a writer bent upon getting material for "copy." Mr. Paine's work will cover more time than the building of the Italian villa. Between Mr. Paine's biography and Mr. Clemens's autobiography there will not be much left to say and this is no doubt as the latter intends that it should be.



By the way, the architect of the Clemens villa is Mr. John Mead Howells, the son of the novelist. From the *New York Times* I glean these interesting particulars regarding the villa:

There will be a rectangular pavilion with wings on either side, the walls of cream-colored stucco, and the low Italian roof covered with copper-colored tiles. Across one end will be the living room,

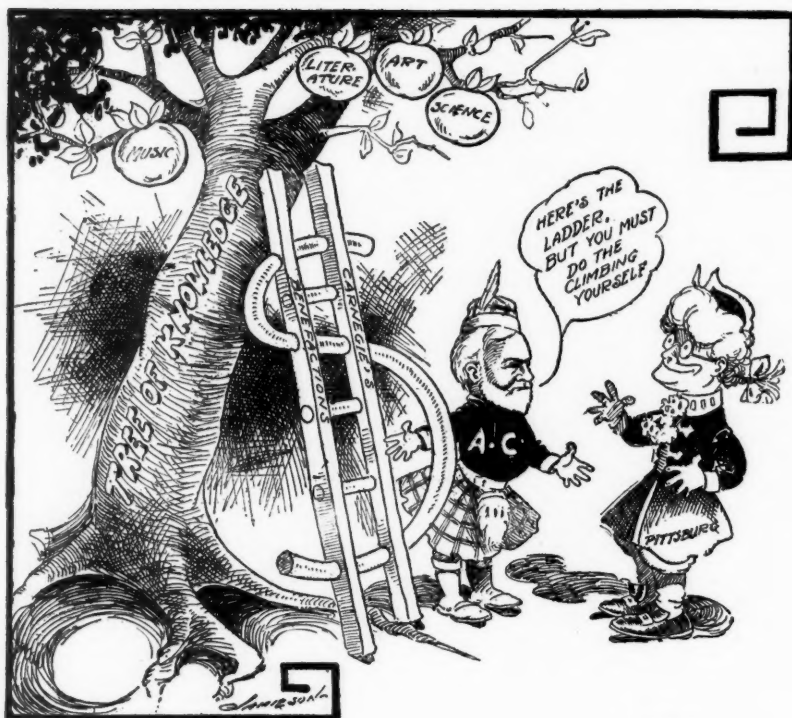
with windows on three sides and walls panelled in dark wood. The large organ, heretofore in Mr. Clemens's Hartford home, will be built into one end. In the centre is to be the fireplace from Scotland. The living room will open on the Italian loggia, with a beautiful view of the surrounding country.

As a visitor enters the house by the main doorway in the central pavilion he will find himself in a large hall with a billiard room on the right, the living room on the left, and the entrance to the dining-room opposite. Three long windows in the dining-room will open on a terrace overlooking the garden. Here a number of small spruce trees, resembling the cypresses of Italy, recall the days Mark Twain spent in a Florentine garden. The office of Mr. Clemens's secretary, the kitchens, and pantries occupy the rest of the first floor. On the second there will be Mr. Clemens's bedroom in one corner, the apartments of his family, and several guest chambers.



Not far from the Clemens hilltop is one of the most beautiful valleys that I know. It is called the Glen, and it is as wild and mysterious as though it were a thousand instead of only sixty miles from New York. A beautiful stream, called by the natives a "river," runs through this valley, and is overhung with rocks out of whose fertile crevices spring pine and spruce trees. In some places this river dashes noisily over a stony bed, in others it lies in deep and tranquil pools. Following the course of this stream out from under the overhanging pines and through the sunlit meadows, you will come to another glen known as the Devil's Mouth. There you will find a waterfall fifty feet high dashing down over the sides of high rocks hidden from your sight by noble pines until it suddenly bursts upon your gaze. It is a beautiful country all around where Mr. Clemens has pitched his tent, and the farmers who own it are getting wise—too wise for their own good, perhaps.

Mr. Clemens has not yet seen his



From the Pittsburgh Dispatch

See page 374

MR. CARNEGIE FURNISHES THE LADDER BUT DECLINES TO DO THE BOOSTING

Redding estate and he does not intend to see it, he tells me, until the house is built and furnished, the fires lighted and the cat purring on the hearth.



Mr. Andrew Carnegie in an impressive speech at a public dinner in New York in the spring said many true and wise things, but some of them were open to argument. Here is one of them:

I was born in poverty, and I would n't exchange places with the richest millionaire's son that ever breathed the breath of life. What does he know about father or mother? They are merely names. But my mother was nurse, seamstress, cook, washer, teacher, angel and saint and no servants between. Men say that poverty is a dreadful life and other men that riches corrupt a man's life. But they have a one-sided view, most of them.

I quite agree with Mr. Carnegie that poverty is less dangerous in forming a boy's character than riches. Poverty is all right for the boys. But what about the mothers?—those who are "nurse, seamstress, cook, washer, teacher, angel and saint"? Does Mr. Carnegie take into account what they suffer from poverty? The effort to make ends meet, the struggle against cruel odds, is not a good thing for the mothers, and many fall by the way. The boys are young, they have no worries, merely to live is happiness to them; but it is the mother who worries and toils. Poverty is not bad for the boys, it is good for them, but the mother is sacrificed that good may come to them. Mr. Carnegie was fortunate in having made enough money before his mother died to gratify all her wishes. Her poverty was not long-lived and

it was, I am confident, the greatest happiness in her son's life that he could

With lenient arts extend a mother's
breath,
Make languor smile, and smooth the bed
of death.



It is not often that we have the pleasure of reading a son's opinion of a father while the father is living. Mr. Edward Everett Hale, Jr., has recently given us that pleasure in the columns of *The Outlook*. In his college lectures it sometimes falls to the lot of Mr. Hale, to speak of his father's work when discussing the subject of American literature, and while he thinks that "The Man Without a Country" is one of the finest American short stories, he thinks it more becoming for some other professor to say so than that he should. At the same time he does not object to his views being known. It is not so much his opinion of his father as a writer that I am interested in, as his opinion of him as a man and a parent. He tells us at the start how he feels about the matter:

I am modern enough as a critic to believe that the literary work of a man who writes sincerely and readily for a good many years is a pretty fair index to his character. Doubtless the study of literature as the expression of personal character, or national, is not the only thing, but it is one of the elements of a useful criticism. And I often find in my studies of literature things that exhibit my father's character and interests and life as I remember them, or rather as they have left their impression on me in the many years that we have been intimate.

Of one of his leading characteristics the son says of the father:

The great thing that makes people love him is that he loves them. Men and women are often interesting, but often they are not; they are often very tedious, very exasperating, very disgusting, terrible bores, terrible fools, and terrible wrecks. Still, they have not destroyed his con-

fidence in them, and they never will. He believes in people, as in the people.

I suspect that gets to the bottom of it. He likes to be at Washington now, because he sees all sorts of people from all parts of the country and the world, because he touches life at so many sides or surfaces—a great many, of course; but still he does really touch it, and so lives freshly and genuinely. He likes to have the interests of life fresh—fresh and new and strange and unimagined before. He likes all those things. But then he is a realist; he wants things genuine. And they are genuine, as life always has been to him. That is perhaps the reason why at eighty-five he is as young as his sons or grandsons or great-grandsons.



In reviewing a volume of verse by a Mr. Kendall, whose playful pen-name is "Dum Dum," the London *Daily Chronicle* calls him "a laureate of laughter." The *Chronicle* to prove its case gives some quotations from the poet's muse, among them these stanzas:

I ask not wealth or high estate;
The burden of too large a hoard,
The constant strain of being great,
Would only make me bored.

A few nice rooms—just here a book,
And there a picture—decent wine,
Good carpets, and a cultured cook,
And I should not repine.

My tiny coach-house might contain
For night a brougham, for day a cart;
I should not mind their being plain
As long as they were smart.

"Dum Dum," it would seem, is familiar with our own "laureate of laughter," the late Dr. O. W. Holmes, in whose poem "Contentment" I find these lines:

Little I ask; my wants are few
I only wish a hut of stone,
(A very plain brown stone will do),
That I may call my own;—
And close at hand in such a one,
In yonder street that fronts the sun!

.

Of pictures, I should like to own
 Titians and Raphaels three or four,—
 I love so much their style and tone,
 One Turner, and no more
 (A landscape,—foreground golden dirt,—
 The sunshine painted with a squirt.)



If it be true that we can prolong our lives and double our endurance by thoroughly masticating our food, we shall soon see meat and cereals take the place of chewing-gum and caramels. But what are we to believe? Just as we have begun to chew our meat into pulp along comes some wise man and tells us that we must not chew it so much, that merely to shred it, as animals do, is the proper way. You meet one man and he tells you he eats no meat at all, chewed or unchewed, that vegetables fill his aching void. Then another man comes along and points to his big muscles and florid skin and tells you that they come from a meat diet. "Meat makes blood and muscle," he says, and you are convinced by the object lesson until some one else turns up and preaches nuts and cheese. I heard of a man here in New York who only spends a few cents a day for his food. I don't remember the *menu* for the day, but I do remember that his luncheon consisted of nuts and a quarter of a Camembert cheese! One would suppose that "indy"—Londonese for indigestion—would be his finish.



When the believers in eccentric diets tell you to eat nuts and be happy they do not mean that you should eat nuts and everything else as well. Nuts to be digestible and satisfying should be eaten by themselves and not on top of a heavy dinner. We read a great deal in old-fashioned novels about lingering "over the walnuts and the wine," which is all very well in novels, but deadly in real life.



If we are to believe the well-known war correspondent, Mr. Frederic Vil-

liers, Lord Rowton—when he was plain Mr. Corry—first attracted the attention of Disraeli while blacked up and playing end man with amateur negro minstrels at a house party:

Disraeli had sauntered in from one of the card-rooms, had overheard his tomfoolery, and was evidently amused, for, after Corry had washed his face and joined the party Disraeli came up to him and said, "Are you not the young man who made us laugh just now?"

"Glad to have amused you, sir," returned Corry.

"I thought it was very bright and clever," answered the statesman; "come and see me: I should like to meet you again."

It may be judged from the foregoing that Mr. Villiers has published his recollections, and so he has. Being out for copy, Mr. Villiers asked Cecil Rhodes's secretary why his chief never married and if he was a woman hater, and this is his answer:

No, nonsense; he likes 'em well enough; but I think he never intends to marry, because he has so many schemes on hand that, if known before they were quite ripe, might altogether fail. He knows that so many big ventures have come to grief by the indiscretion of the fair sex, therefore he would rather not risk matrimony, for the relations of man and wife would be too close for him.

Mr. Rhodes was what we in America would call something of a "crank" in the matter of hats:

In the hall and in each room was a hat [at Groote Schuur] either on a chair or table; old hats of soft felt and exactly the same pattern and color. This, I found out later, was Cecil Rhodes's one peculiarity; whenever he left the house from the main entrance, or through the numerous windows leading out on the balconies, or to the verandah, there was always a hat to hand, and there was no necessity for him to go to the hall for his head-gear or to ring the servant to fetch it.



Mr. Whidden Graham writes me as follows: "In a paragraph dealing with Tolstoy, Kipling, Mark Twain



THE LATE DR. W. H. DRUMMOND

and Maeterlinck, to which you gave the hospitality of your columns in April, reference is made to the alleged fact that two of these four men have ranged themselves with the disciples of Socialism. If Tolstoy is one of the two referred to, this is a mistake. He is not, and never has been, a Socialist. He has never published a line favoring Socialism. On the contrary, he is an extreme Individualist; so much so that he is often called an Anarchist. Tolstoy has written several pamphlets in which he criticises and opposes Socialism, and his position is well-known to those who are familiar with his writings on social and economic questions."



It is said that the late Dr. William

Henry Drummond was the most surprised man in America when he heard of the success of "The Habitant," his first volume of verse. This is not quite correct. Dr. Drummond may have been the most surprised man in Canada, but his publishers were the most surprised men in America. They appreciated the merit of the work, but they did not think that the general public would share their appreciation, and frankly expressed to the author their doubts as to its commercial value. Their misgivings were needless, however, as the general public, for once, knew a good thing when they saw it. Although "The Habitant" was written in French-Canadian patois, it jumped into instant popularity, not only in Canada but in the United States. Dr. Drum-



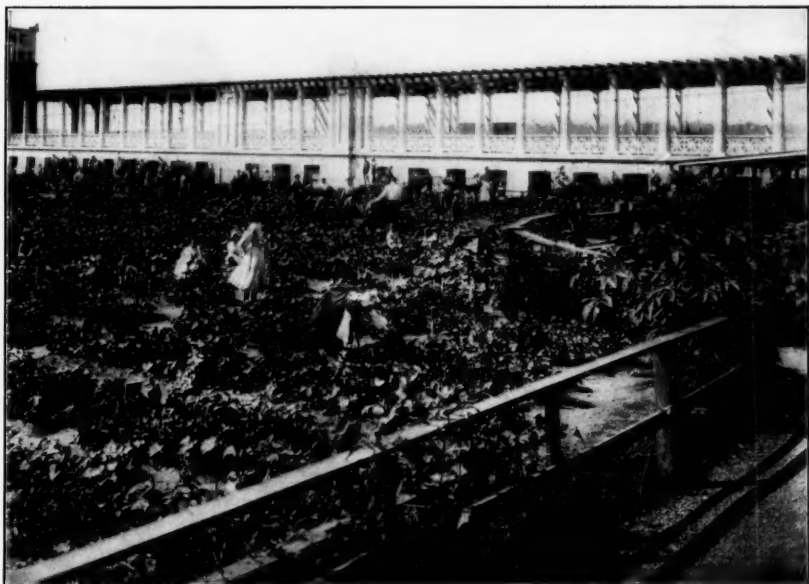
A PLOT OF GROUND ON THE WEST SIDE BEFORE THE SCHOOL FARM LEAGUE BEGAN WORK

mond was a Canadian only by adoption. He was born in Ireland, which accounts for many of his most attractive characteristics. It was in Ireland that he learned to fish, but it was in Canada that he became the all-round sportsman that he was to the day of his untimely death. Dr. Drummond was one of the best-loved men in Canada, and one of whom his fellow citizens were justly proud, for he was more than a poet, a sportsman or a physician. He was before all a lover of his country, and his country will miss him long after she has ceased to lay flowers on his grave. "Good guide and friend," Miss Beatrice Hanscom called him, in a poem printed some years ago in *The Critic*; and that well describes the man.



One of the most modest and at the same time worthy philanthropies of this city is the Children's School Farm. The Children's School Farm League in New York City was founded

by Mrs. Henry Parsons, and has proved so successful in its results that its founder cannot direct all the work, nor answer all the questions that are put to her by philanthropists all over this country and Europe. It is the purpose of the International Children's School Farm League to issue information as to the practical working of the idea, and where possible to furnish an instructor. The idea of the Farm is to cultivate unused city lots, the children doing the work and reaping the rewards. Not only vegetables but flowers are cultivated. The children as well as the waste places are made glad, and the results are most satisfactory and far-reaching. You may become an "active member" for one dollar a year and a "sustaining member" for twenty-five dollars per annum. Mrs. Howard van Sinderen, 41 West 16th Street, New York, is the treasurer, and to her you may send your subscription. A dollar is very little money to give for a cause whose good is so wide-spread, and even twenty-five dollars is not much.



THE SAME PLOT OF GROUND AFTER THE SCHOOL FARM LEAGUE WAS WELL STARTED

There is a movement on foot to raise funds for the cultivation of one of these farms at the Jamestown Exposition. The land has been assigned, and an instructor selected, and all that is now needed is the money—and not very much money, either.



Mr. John Monroe writes from San Rafael, Calif., partly to say that the article on his fellow-townsmen Charles Farrar Browne ("Artemus Ward"), by Mr. Enoch Knight, which appeared in the February number of PUTNAM'S MONTHLY, is the best he has ever read on the subject. "I bought six copies at Los Angeles," he says, "and mailed them to friends, thinking that when I returned home I would buy six more." In this hope, however, he was disappointed, for the supply at San Rafael was exhausted when he got there. "With that article," he continues, "was

published a half-tone of Browne, that was made by me, but for which the proper credit was not given." I quote further from Mr. Monroe's letter:

For thirty-six years after his death, we ransacked the stores of a hundred cities in thirty States for a picture of him—all in vain. There were, and there are now, none for sale. We found a steel engraving four thousand miles from his and my home (Waterford, Maine), and at the first opportunity I made one hundred and four post cards to give away. I disposed of all of them. You cannot buy to-day in the stores of New York a picture of Charles F. Browne.

Mr. Monroe is quite right in opining that it was only by an oversight that he failed to receive the credit for the picture of "Artemus Ward," which illustrated Mr. Knight's tribute to the famous humorist—"the most illustrious citizen," according to Mr. Monroe, "ever born in Oxford County, Maine."

Prof. J. C. Schwab, Librarian of Yale University, writes under date of April 29th, that the cut on page 157 of PUTNAM'S for May, which is said to represent the reverse

of the George Inness medal, in reality represents the reverse of the Yale Bi-centennial medal (1901), designed by Mr. Bela L. Pratt.



A POET WHO "STANDS PAT"

DEAR LOUNGER:

The Undersigned thanks you for your pleasant allusion, in the April PUTNAM'S, to the current strife between disbursing plutocrats of the land,—“Cræsus pitted against Midas.” And so much more are thanks due, if “more is meant than meets the eye,” in your concluding remark: “In the meantime the cause of education pockets the gold, and chuckles to itself as it encourages the rivals.” Suggestion there is, however “delicately remote,” that we all may be, less or more, touched with

the Auri Sacra Fames, a distemper known even in our old friend Virgil's time. Yet, it may well be doubted, whether in his time could have been remarked such flagrant cases of this Thirst—or, say, Hunger,—as are to be seen in our own day, where the Hunger increases so, with the opportunity to feed! Dear Lounger, your Timon has made a few observations on this head—that is, under the caption of Auri Sacra Fames, which, perhaps, you will find it in your heart to print. Or, stay! Perhaps you will prefer the following caption:—

THE MAN WHO IS STARVING

The Man Who Is Starving! Not he
we once knew,
To whom in the street our coppers
we threw,
But a case more acute—where vast
is his store,
Yet, The Man Who Is Starving is
starving for MORE!

The Man Who Is Starving—how
keen is the goad
That gives him scant ease, though in
palaced abode!
Yet, in his coffers our all we might
pour,
And The Man would be starving—be
starving for MORE!

Like Midas, of eld, his touch is Pure
Gold!—
Our food, and our light, and our
fuel—behold,
At his Touch—and FOR HIM—
they are glittering ore!
Yet, The Man Who Is Starving is
starving for MORE!

His FAMES is SACRA—*sacred*, I
mean—
A disease of the land, to which we
all lean:
How quick our response, when he
begs at our door,—
This Man Who Is Starving,—starving
for MORE!

Yours, standing pat, TIMON OF GOTHAM

